

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1346919-0

Total Deleted Page(s) = 79

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Page 12 ~ b5; b6; b7C; b7D;
Page 13 ~ b5; b6; b7C; b7D;
Page 14 ~ b5; b6; b7C; b7D;
Page 15 ~ b5; b6; b7C; b7D;
Page 16 ~ b5; b6; b7C; b7D;
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Page 106 ~ Referral/Consult;
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Page 128 ~ b6; b7C;
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Page 225 ~ b5;
Page 226 ~ b5;
Page 233 ~ Referral/Direct;
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Page 283 ~ b6; b7C; b7D;
Page 284 ~ Duplicate;

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Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 10/14/93

From : SA [REDACTED] (CE-6)

b6
b7C

Subject: JUSTIN PETERSEN;
KEVIN POULSEN;
ET AL;
IOC
OO: LOS ANGELES

Reference memo dated 9/24/93.

Trial in San Francisco is currently scheduled for 10/25/93 concerning KEVIN POULSEN and SAs [REDACTED]. [REDACTED] will travel to San Francisco for the purpose of trial testimony. It is noted that expenses in San Francisco incurred by [REDACTED]

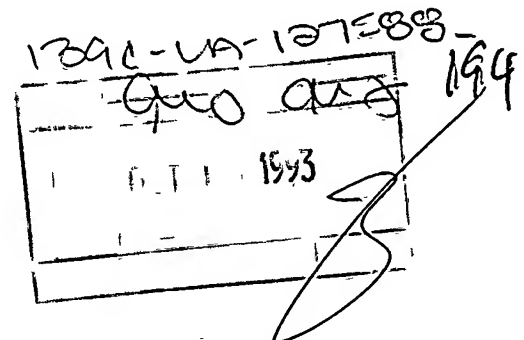
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[REDACTED] It is also noted that advanced funds received in this case will be forwarded to FBIHQ after this case is closed as specified in [REDACTED]

Upon completion of the San Francisco trial, excluding a plea agreement, POULSEN will appear in Los Angeles for an initial appearance and a trial date will be set at that time. It is anticipated that the trial in Los Angeles will be scheduled sometime in March, 1994.

SEO/dw
(2)

1*



Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 10/18/93

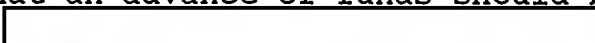
From : 

SSA 

Subject: JUSTIN PETERSON;
KEVIN POULSEN;
ET AL;
IOC
OO: LOS ANGELES

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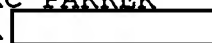
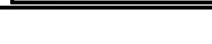

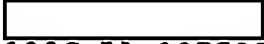
Re SA  memo 10/14/93.

The referenced memorandum sets forth the San Francisco and Los Angeles tentative trial dates for the captioned matter, and the fact that an advance of funds should be retained for this investigation;  expenses will be incurred for the San Francisco trial late October, 1993.

It is recommended the cash advance in this investigation be secured in ASAC PARKER's safe. Thereafter, the use of the cash advance should be accomplished by memorandum describing the estimated expenditure contemplated. The memorandum should be reviewed and approved by this writer. Once the approval has been noted on the memorandum, the case agent can remove funds from the cash advance in ASAC PARKER's office. A copy of the expenditure memorandum should be given to the squad case accountant, who completes the monthly voucher for the funds.

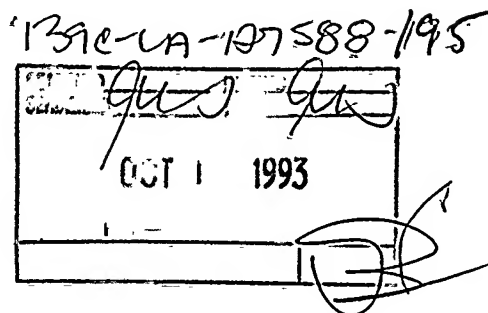
The aforementioned procedure will provide additional security for the cash advance in this investigation.

The cash advance for this investigation will be deposited with ASAC PARKER's secretary, accompanied by a copy of this memorandum, by 10/22/93.

- 1 - ASAC PARKER
- 1 - SSA 
- 1 - SA 
- 1 - SA 
- 1 - 
- ① - 139C-LA-127588

b6
b7C

DWB/ch
(6)



SEARCH WARRANT ON WRITTEN AFFIDAVIT

United States District Court		DISTRICT CENTRAL DISTRICT OF CALIFORNIA	
UNITED STATES OF AMERICA v. 2270 Laurel Canyon Boulevard Hollywood, California		DOCKET NO.	MAGISTRATE'S CASE NO. 93-2266M
		TO: ANY SPECIAL AGENT(S) WITH THE FEDERAL BUREAU OF INVESTIGATION OR ANY OTHER AUTHORIZED OFFICER	
<p>Affidavit(s) having been made before me by the below-named affiant that he/she has reason to believe that on the premises known as SEE ATTACHMENT A</p> <p>in the CENTRAL District of CALIFORNIA</p> <p>there is now being concealed certain property, namely: SEE ATTACHMENT B</p> <p>and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the person or premises above-described and the grounds for application for issuance of the search warrant exist as stated in the supporting affidavit(s).</p> <p>YOU ARE HEREBY COMMANDED to search on or before <u>ten (10) days</u> (not to exceed 10 days) the person or place named above for the property specified, serving this warrant and making the search (in the daytime — 6:00 A.M. to 10:00 P.M.) (at any time in the day or night)* and if the property be found there to seize it, leaving a copy of this warrant and receipt for the property taken, and prepare a written inventory of the property seized and promptly return this warrant to <u>the duty U.S. Magistrate.</u> as required by law.</p>			
NAME OF AFFIANT b6 b7C		SIGNATURE OF DEPUTY OR US MAGISTRATE R.J. GROH, JR. U.S. MAGISTRATE JUDGE	DATE/TIME ISSUED October 22, 1993

*If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure Rule 41(c), show reasonable cause therefor.

**United States Judge or Judge of a State Court of Record.

BJS:jlp

ATTACHMENT A

The premises to be searched are described as follows:
2270 Laurel Canyon Boulevard is a two story stucco building, cream in color. On the ground level there is a olive colored gate with the numbers "2" "2" and "0" on it. There is a gap where the number "7" used to be and there is an outline where the number "7" used to be. Behind the olive gate, there is an exterior staircase leading to a second floor apartment which has a white colored door with glass panes in it. The premises to be searched consist of the second floor apartment located behind the white door.

Attachment B

The following records, documents and items are to be seized which constitute fruits, instrumentalities, and evidence of the crimes of computer fraud in violation of 18 U.S.C. § 1030, and fraud in connection with access devices in violation of 18 U.S.C. § 1029:

- a. Any information, printed or otherwise, referring to credit card account numbers, credit card authorization codes, social security numbers or other information pertaining to access codes or access devices;
- b. Computer equipment, including terminals, hard disk drives, floppy diskettes, terminals, modems, cartridges, tapes, laser disks;
- c. Computer manuals;
- d. Telephones and other telephone components;
- e. Records, as used above, shall also include, but is not limited to, any and all information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment. This media includes, but is not limited to, floppy diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, video cassettes, and any other media which is capable of storing magnetic coding; any and all electronic devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data, including, but not limited to, computers, computer components, computer peripherals, word

processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices; and any and all instructions or programs stored in the form interpreted by a computer or related components, including, but not limited to, operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, radio, or other means of transmission; any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

Page 1 of 1On (date) 10-22-93

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) JUSTIN TANNER PETERSON
 (Street Address) 2270 LAUREL CANTON BLVD,
 (City) HOLLYWOOD, CA

Description of Item(s):

4 NOTES FOUND ON DESK4 CASSETTE TAPESMOTOROLA RADIUS P50 RADIO" " P200 RADIORADIO SIGNAL COUNTERBUSINESS CARD - NUCLEUS NUCLEAGREEN NOTEBOOKMAUELS 30-40SONY RECORDERNIKON CAMERA WITH LENSES/ /DRESSERItems 1-4 Numerous Bills / Documents / PhotographsBox D1 ModemBox D1 Telephone HandsetBox D1 ManualsBox D1 DisksItem 5 White Bag Numerous Notebooks papersItem 6 Postal ID John AndersonLOOSE COMPUTER, CPU, KEYBOARD, MONITOR,ONE CAMERATORMISC RADIO PARTS

Received by:

(Signature)

Received from

(Signature)

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/29/93

Pursuant to a search warrant executed at 2270 Laurel Canyon Boulevard, Hollywood, California, where JUSTIN PETERSEN was residing, [redacted] telephone number [redacted] advised that he met PETERSEN at the RAINBOW CLUB on Sunset Boulevard approximately one year ago. Subsequently, [redacted]

[redacted] eight to nine months. PETERSEN claimed to be involved in nightclub promotions on Friday and Saturday nights, specifically, NUCLEUS NUANCE, 7267 Melrose Avenue, Hollywood, California.

[redacted] initially knew PETERSEN as "ERIC HEINZ" until PETERSEN produced a "Los Angeles Times" newspaper article concerning his cooperation with the Federal Bureau of Investigation (FBI) about a particular case. At that point, [redacted] realized that HEINZ' true name was JUSTIN PETERSEN. [redacted] believes that PETERSEN was also using another alias with the last name starting with a "B."

[redacted] was unaware of where PETERSEN conducted his banking and he did not observe PETERSEN use credit cards with other individuals names.

[redacted] stated that PETERSEN purchased a laminating machine but [redacted] did not see PETERSEN use the machine for producing identification cards. [redacted] said that PETERSEN used the machine to make "free drink cards" for his nightclub.

[redacted] added that PETERSEN installed an antenna on the roof in order to get better reception for his "scanners."

Investigation on 10/22/93 at Hollywood, California File # 139C-LA-127588

by SA [redacted] dw Date dictated 10/22/93

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/1/93

[redacted] HOUSEHOLD CREDIT SERVICES, telephone number (800) 395-8141, Ext. [redacted] was telephonically contacted and informed that JUSTIN PETERSEN, also known as (aka) Eric Heinz, may be using a stolen GM credit card issued to [redacted]. Thereafter, [redacted] provided the following information:

[redacted] stated that [redacted] initially made an inquiry to obtain a GM card on July 20, 1993 and on August 20, 1993, [redacted] notified the GM Credit Bureau that he had not received his GM credit card. [redacted] listed his employment as EXECUTIVE LIFE INSURANCE, 11444 West Olympic Boulevard, Los Angeles, California, telephone number [redacted] and his home address as [redacted] Hollywood, California, telephone number [redacted]. [redacted] stated that he began receiving GM card statements for charges he did not make. [redacted] added that [redacted] mailbox is behind a locked gate in the apartment complex and a key is needed to open the mailbox.

[redacted] stated that the GM card was activated on August 11, 1993 from telephone number [redacted] and the account was closed on August 20, 1993 as a result of fraudulent activity. [redacted] stated there were no cameras located at the ATM locations. The matter has been referred to the Postal Inspectors, although [redacted] believes the Postal Inspectors will not investigate this matter due to the low dollar amount.

[redacted] provided the following information concerning credit card transactions for the period August 11 - August 18, 1993:

(telephonically)

Investigation on 10/27/93 at Los Angeles, CA File # 139C-LA-127588by SA [redacted] dw Date dictated 10/27/93

139C-LA-127588

Continuation of FD-302 of , On 10/27/93, Page 2

	<u>Amount</u>	<u>Date</u>
Golden Rule Liquor-West Hollywood	\$ 55.57	8/11/93
Computer Palace	416.08	8/12/93
Cash Advance-ATM	300.00	8/13/93
Cash Advance-ATM	300.00	8/14/93
Alpha Beta	94.78	8/14/93
Cash Advance-ATM	300.00	8/16/93
Cash Advance-ATM	300.00	8/17/93
Cash Advance-ATM	260.00	8/18/93

also faxed a copy of the receipt from GOLDEN RULE LIQUOR signed by and a COMPUTER PALACE invoice, number 42331 and a GM charge receipt for a Maxtor 345 hard drive for a computer.

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FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 10/26/93

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/PRIORITY/

FBI SAN FRANCISCO (139A-SF-335)/PRIORITY/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: ECONOMIC CRIMES UNIT.

SUBJECT: CHANGED; JUSTIN TANNER PETERSEN-FUGITIVE (B); KEVIN
 POULSEN; [REDACTED] IOC; OO: LOS
 ANGELES.

TITLE MARKED CHANGED TO DESIGNATE PETERSEN AS A FUGITIVE.

FOR THE INFORMATION OF THE BUREAU, IN 7/92, PETERSEN PLED

GUILTY TO MULTIPLE FELONY COUNTS OF COMPUTER FRAUD BEFORE USDC

JUDGE STEPHEN WILSON, LOS ANGELES [REDACTED]

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 b7D

Approved: [Signature]Original filename: D2W001W.299Time Received: [Signature]Telprep filename: D2W001SO.299MRI/JULIAN DATE: 1081/300ISN: 021FOX DATE & TIME OF ACCEPTANCE: 10-27-93 1853 1822

FILED

^PAGE 2 (139C-LA-127588) UNCLAS



ON 10/13/93, [REDACTED] RECENTLY MET WITH
PETERSEN AT PETERSEN'S RENTED APARTMENT IN HOLLYWOOD,
CALIFORNIA. WHILE IN PETERSEN'S APARTMENT, [REDACTED]
COMPUTER EQUIPMENT, ELECTRONIC SCANNERS, RADIO RECEIVERS AND
OTHER ELECTRONIC PARAPHERNALIA USED TO MONITOR [REDACTED]



OBSERVED VARIOUS PHONE BILLS AND OTHER DOCUMENTS WITH OTHER
PEOPLE'S NAMES, A DEFINITIONAL LOG OF CODED WORDS AND A
LAMINATOR USED TO MAKE IDENTIFICATION CARDS.

A SUBSEQUENT REVIEW OF PETERSEN'S TRASH REFLECTED THAT
PETERSEN WAS POSSIBLY ENGAGED IN CREDIT CARD FRAUD.

AS A RESULT OF [REDACTED] INFORMATION AND DOCUMENTS
RETRIEVED FROM PETERSEN'S TRASH, PETERSEN AND HIS LAWYER WERE

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^PAGE 3 (139C-LA-127588) UNCLAS

ASKED TO APPEAR AT THE UNITED STATES ATTORNEY'S OFFICE, LOS ANGELES ON 10/22/93. DURING THIS MEETING, PETERSEN STATED THAT HE WAS CURRENTLY RESIDING AT 2270 LAUREL CANYON BOULEVARD

[REDACTED]

[REDACTED] PETERSEN WAS ASKED IF HE HAD ENGAGED IN ANY CRIMINAL ACTIVITY WHILE OUT ON BAIL AND HE WAS SPECIFICALLY ASKED IF HE HAD BEEN USING CREDIT CARDS ISSUED TO OTHER INDIVIDUALS. PETERSEN ADMITTED THAT HE HAD, IN FACT, BEEN USING OTHER PEOPLE'S CREDIT CARDS AND AT THAT POINT, PETERSEN ASKED TO SPEAK WITH HIS ATTORNEY. PETERSEN AND HIS ATTORNEY INDICATED THAT THEY WOULD RETURN SHORTLY AND PETERSEN THEN FLED THE COURTHOUSE.

ON 10/22/93, USDC JUDGE STEPHEN WILSON REVOKED PETERSEN'S BOND AND ISSUED A BENCH WARRANT FOR PETERSEN'S ARREST.

SAME DATE, A SEARCH WARRANT WAS EXECUTED AT PETERSEN'S RESIDENCE, 2270 LAUREL CANYON BOULEVARD, HOLLYWOOD, CALIFORNIA. AS A RESULT OF THE SEARCH, COMPUTERS AND COMPUTER RELATED MATERIAL ALONG WITH A FRAUDULENT POSTAL EMPLOYEE IDENTIFICATION BADGE WITH PETERSEN'S PHOTOGRAPH [REDACTED]

[REDACTED]

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^PAGE 4 (139C-LA-127588) UNCLAS

LOS ANGELES WILL KEEP THE BUREAU AND SAN FRANCISCO
APPRISED OF ANY FURTHER DEVELOPMENTS.

PETERSEN ENTERED INTO NCIC.

SAN FRANCISCO AT SAN FRANCISCO, CALIFORNIA: SAN
FRANCISCO IS REQUESTED TO SUTEL RESULTS OF LAST HEARING
CONCERNING POULSEN WITH USDC JUDGE, SAN JOSE AND DATES FOR
FUTURE HEARING AND TRIAL. ALSO, WHAT DOCUMENTS AND/OR RECORDS
MAY BE NEEDED IN THE NEXT COUPLE OF MONTHS TO SUPPORT SAN
FRANCISCO TRIAL REGARDING KEVIN POULSEN.

BT

CLETS - CLETS INQUIRY/UPDATE FREE FORM - ENTER DATA IN TTY FORMAT
UW

EWR.CAFBILA00.PETERSEN,JUSTIN TANNER.M.W.072860.510.4999.F.102293.139C127588.2.
POB/DC.WGT/170.EYE/HAZ.HAI/BRO.BAL/NO BAIL.FBI/287020AA9.SOC/508928037.
546858244.SMT/MISS L LEG.OLG/C5943904.CA.93.OCA/139127588.MIS/UNLAWFUL
FLIGHT TO AVOID PROSECUTION.AKA/HEINZ,ERIC M.ADB/112759.072960.

UW

WPS ENTRY

WANTED PERSON

ORI/CAFBILA00 FCN/1019329501483

NAM/PETERSEN,JUSTIN TANNER 072860 M W 510 170 BRO HAZ DC

DOW/102293 WAR/139C127588 OFF/4999 FLIGHT-ESCAPE FELONY

ENT/2 CALIFORNIA AND NCIC OCA/139127588

DOP/498 BAIL/NO BAIL

MIS/UNLAWFULFLIGHT TO AVOID PROSECUTION

AKA/HEINZ,ERIC M

SMT/MISS L LEG

OUTPUT MSG 217, PAGE 01 OF 02, FROM CL20

10/22/93 16:47 NO MSGS WAITING

ENTER	<input checked="" type="checkbox"/>
MODIFY	<input type="checkbox"/>
CLEAR	<input type="checkbox"/>
CANCEL	<input type="checkbox"/>
ICE	<input type="checkbox"/>

DATE 10/22/93

W772636486

139C127588-200

SEARCHED	SERIALIZED
SERIALIZED	FILED
WCC-6	
OCT 27 1993	
FBI-LOS ANGELES	

AIRTEL

To: Director, FBI
 Att: Criminal Investigative Division
 Fugitive Unit

Date:

INSTRUCTIONS - Reverse side

From: SAC, LOS ANGELES (139C-LA-127588) (P)
 NOTE: Priority "A" and "B" Fugitives - With initial submission, set forth a synopsis of crime on reverse side.

Subject: JUSTIN TANNER PETERSEN- FUGITIVE (B)
 UFAP-INTERCEPTION OF COMMUNICATION
 (OO: LOS ANGELES)

☒ Initial Submission☐ Supplements FD-65 dated _____

Indicate Fugitive Priority

☐ A☒ B☐ CSA b6
b7C

Caution <input type="checkbox"/>		MKE		Name		NAM		Sex		SEX		Race		RAC									
				PETERSEN, JUSTIN TANNER				M				W.											
Place of Birth				POB		Birth Date		DOB		Height		HGT		Weight		WGT							
DC						7/28/60				510				170									
Eye Color		EYE		Hair Color		HAI		FBI No.		FBI		Skin Tone		SKN									
HAZEL				BROWN				287020AA9															
Scars, Marks, Tattoos, etc.																SMT							
MISS L LEG., MISS L FT																							
NCIC Fingerprint Classification				FPC		Other Identifying Number				MNU		Social Security #				SOC							
DO DO AA DM 16 DI AA 01 DI 10										See Bottom		508-92-8037											
Operator's License Number				OLN		Operator's License State				OLS		Year Expire				OLY							
C5943904						CA						93											
Offense Charged OFF UNLAWFUL FLIGHT TO AVOID PROSECUTION																							
U. S. Code, Title and Section TITLE 18, U.S.C. 1030																							
Warrant Issued By JUDGE STEVEN WILSON										on 10/22/93		DOW		F.O. File #		OCA							
Date PBV or Bond Default Case Referred to Office										WAR/139C-127588				139C-127588									
Miscellaneous Including Bond Recommended										MIS		Fingerprint Classification (Henry System)											
INTERCEPTION OF COMMUNICATION; STOLEN CRED CARD VIOLATIONS; DETENTION																							
LICENSE PLATE AND VEHICLE INFORMATION																							
License Plate Number		LIC		State		LIS		Year Expires		LIY		License Plate Type				LIT							
Vehicle Identification #		VIN		Year		VYR		Make		VMA		Model		VMO		Style		VST		Color		VCO	
Aliases HEINZ, ERIC MARTIN; JASON, MARTIN HEINZ, ERIC E; JASON, MARTIN M MILLER, MATT E; GROSSMAN, SAMUELL										Additional Identifiers HEINZ, ERIC; HINES, ERIC PETERS, JAMES E. ADB's: 11/27/59, 7/29/60 546-85-8244													
NCIC #										NIC													

NCIC		SUPR. OPR. AGENT	
ENTER	<input checked="" type="checkbox"/>	J. CAR. N.	
MODIFY	<input type="checkbox"/>		
CLEAR	<input type="checkbox"/>		
CANCEL	<input type="checkbox"/>		
LOCATE	<input type="checkbox"/>		
DATE		NCIC # 6772636486	

CLETS - CLETS INQUIRY/UPDATE FREE FORM - ENTER DATA IN TTY FORMAT
UW

MWR.1019329501483.PETERSEN,JUSTIN TANNER.AKA/.HEINZ,ERIC MARTIN..
JASON,MARTIN..HEINZ,ERIC E..JASON,MARTIN M..MILLER,MATT E..GROSSMAN,SAMUELL..
HEINZ,ERIC..HINES,ERIC..PETERS,JAMES E

UW

MODIFY FCN/1019329501483

NAM/PETERSEN,JUSTIN TANNER

YOUR SUBJECT IS ASSOCIATED WITH:

ORI/CAFBILA00 FCN/1019329501483

NAM/PETERSEN,JUSTIN TANNER 072860 M W 510 170 BRO HAZ DC

WAR/139C127588 OFF/4999 FLIGHT-ESCAPE FEL

SUBJECT MAY BE SAME AS FBI/287020AA9

IMMEDIATELY CONFIRM WITH CAFBILA00 FBI-LOS ANGELES MNE/FBM

TELEPHONE 213 477-6565

ORI/CA0194234 FCN/2749117901400

OUTPUT MSG 254, PAGE 01 OF 02, FROM CL10

10/23/93 01:08 NO MSGS WAITING

IW
CAFBILA00 RE: QW.CAFBILA00.NAM/PETERSEN, JUST
MATCH MADE ON NAM/PETERSEN, JUSTIN TANNER
NAME FIELD SEARCH REVEALS: ---
HIT # 001
HIT MADE ON NAM/PETERSEN, JUSTIN TANNER
ORI/CAFBILA00 FCN/1019329501483
NIC/W772636486
NAM/PETERSEN, JUSTIN TANNER 072860 M W 510 170 BRO HAZ DC
DOW/102293 WAR/139C127588 OFF/4999 FLIGHT-ESCAPE FEL ENT/2
BAIL/NO BAIL
OCA/139127588 MIS/UNLAWFULFLIGHT TO AVOID PROSECUTION
AKA/HEINZ, ERIC MARTIN/JASON, MARTIN
HEINZ, ERIC E/JASON, MARTIN M
MILLER, MATT E/GROSSMAN, SAMUELL
HEINZ, ERIC/HINES, ERIC
PETERS, JAMES E
SMT/MISS L LEG
SOC/508928037/546858244
OLN/C5943904.CA.93
ADB/112759/072960
SUBJECT MAY BE SAME AS FBI/287020AA9
IMMEDIATELY CONFIRM WITH CAFBILA00 FBI-LOS ANGELES MNE/FBM
TELEPHONE 213 477-6565
CHECKING NCIC
INQUIRY MADE TO RESTRAINING ORDER SYSTEM
***** END OF WPS MESSAGE *****

OUTPUT MSG 527, FROM CL1@ FOR FBI4 10/23/93 20:56

IW
CAFBILA00 RE: QRR.CAFBILA00.NAM/PETERSEN, JUS

NO MATCH NAM FIELD

NO RESTRAINING ORDERS

***** END OF ROS MESSAGE *****

OUTPUT MSG 528, FROM CL10 FOR FBI4 10/23/93 20:56

IJ
1L01
CAFBILA00
MKE/WANTED PERSON
ORI/CAFBILA00 NAM/PETERSEN,JUSTIN TANNER SEX/M RAC/W POB/DC DOB/072860
HGT/510 WGT/170 EYE/HAZ HAI/BRO FBI/287020AA9
SMT/MISS L LEG SOC/508928037 OLN/C5943904 OLS/CA OLY/93
OFF/FLIGHT-ESCAPE DOW/102293 OCA/139127588
MIS/UNLAWFULFLIGHT TO AVOID PROSECUTION
ORI IS FBI LOS ANGELES CA
DOB/112759 072960
SOC/546858244
AKA/HEINZ,ERIC MARTIN
AKA/JASON,MARTIN
AKA/HEINZ,ERIC E
AKA/JASON,MARTIN M
AKA/MILLER,MATT E
AKA/GROSSMAN,SAMUELL
AKA/HEINZ,ERIC
AKA/HINES,ERIC
AKA/PETERS,JAMES E
NIC/W772636486

OUTPUT MSG 529, FROM CL10 FOR FBI4 10/23/93 20:56

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/15/93

[redacted]
Hollywood, California, telephone number [redacted] was
telephonically contacted concerning [redacted]

[redacted] advised that [redacted] was his cousin from
[redacted] who was involved in a rock-and-roll band. [redacted]
stated that [redacted] stayed with him for a short period of time at
[redacted] Hollywood, California.

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[redacted] is described as a white male,
approximately [redacted] years old, 5'9", 160 pounds, thinning brown
hair, hazel eyes and speaks with [redacted] accent.

Ⓟ
D

(telephonically)

Investigation on 11/15/93 at Los Angeles, CA File # 139C-LA-127588by SA [redacted] /dw Date dictated 11/15/93b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/15/93

As a result of documents previously provided by []
[] indicating that JUSTIN PETERSEN may be using a fictitious
name of TONY STEVENS with a bank account established at []
[] Hollywood, California, a Federal
Grand Jury Subpoena was served on []
[]

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Investigation on 11/10 & 12/93 at Hollywood, California File # 139C-LA-127588

by SA [] dw Date dictated 11/12/93

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/15/93

Pursuant to a search warrant executed at 2270 Laurel Canyon Boulevard, Hollywood, California, on October 26, 1993, colored photographs were seized [REDACTED]
[REDACTED]

Subsequently, Special Agent (SA) [REDACTED] was asked to review these photographs to determine the location and approximate date when these photographs were taken.

On November 15, 1993, SA [REDACTED] advised that these photographs were [REDACTED] or [REDACTED] SA [REDACTED] advised that [REDACTED] was conducted in the vicinity of [REDACTED] California. SA [REDACTED] advised that the photographs depicted [REDACTED] going to [REDACTED] while the subject's whereabouts were unknown.

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Investigation on 11/15/93 at Los Angeles, CA File # 139C-LA-127588

by SA [REDACTED] /dw Date dictated 11/15/93

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/30/93

On November 22, 1993, [redacted] owner of the property located at [redacted] Hollywood, California, telephone number [redacted] telephonically advised that he had received a telephone call from JUSTIN PETERSEN on Saturday night at approximately 10:45 p.m. After some general discussion, PETERSEN informed [redacted] that he was out of the country.

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(telephonically)

Investigation on 11/22/93 at Los Angeles, CA File # 139C-LA-127588b6
b7Cby SA [redacted] /dw Date dictated 11/22/93

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 11/30/93

From : SA [REDACTED] (CE-6)

Subject: JUSTIN PETERSEN - FUGITIVE;
KEVIN POULSEN;

[REDACTED]

IOC

OO: LOS ANGELES

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As a result of receiving information of criminal wrongdoing by subject PETERSEN, PETERSEN and his [REDACTED] appeared at the United States Attorney's Office, Los Angeles on 10/22/93. During this meeting, PETERSEN stated that he was currently residing at 2270 Laurel Canyon Boulevard. PETERSEN was asked if he had engaged in any criminal activity while out on bail and he was specifically asked if he had been using credit cards issued to other individuals. PETERSEN admitted that he had, in fact, been using other people's credit cards and at that point, PETERSEN asked to speak with his attorney. PETERSEN and his attorney indicated that they would return shortly and PETERSEN then fled the courthouse. Same date, U.S. District Court Judge STEPHEN WILSON revoked PETERSEN's bond and issued a bench warrant for PETERSEN's arrest.

Same date, a search warrant was executed at PETERSEN's residence, 2270 Laurel Canyon Boulevard, Hollywood, California. As a result of the search, computers and computer related material along with a fraudulent postal employee identification badge with PETERSEN's photograph [REDACTED]

On 11/8/93, [REDACTED] entered a plea of guilty to one count of Title 18, Section 1029, Interception of Communications, as part of a plea agreement. [REDACTED] is scheduled for sentencing on 5/16/94.

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It is anticipated that trial concerning captioned matter will be in the early part of 1994.

SEO/dw

139C-LA-127588-205
gus gus

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 12/6/93

From : SA [REDACTED] (CE-6)

Subject: JUSTIN TANNER PETERSEN - FUGITIVE (B);
KEVIN POULSEN;

[REDACTED]
IOC;
OO: LOS ANGELES

Captioned subjects were involved in a sophisticated computer hacking scheme in Los Angeles. [REDACTED]
[REDACTED]

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As a result of information recently received indicating that PETERSEN may be involved in criminal activities, on 10/22/93, PETERSEN and his attorney appeared at the U.S. Attorney's Office, Los Angeles, California. PETERSEN had previously pled guilty to multiple felony counts of computer fraud [REDACTED]

[REDACTED] During this meeting, PETERSEN stated that he is currently residing at 2270 Laurel Canyon Boulevard [REDACTED]
[REDACTED]

PETERSEN was asked if he had engaged in any criminal activity while out on bail and he was specifically asked if he had been using stolen credit cards. PETERSEN admitted that he had, in fact, been using other individuals credit cards and at that point, PETERSEN asked to speak with his attorney. PETERSEN and his attorney indicated that they would return shortly and PETERSEN then fled the courthouse.

On 10/22/93, U.S. District Court Judge STEPHEN WILSON revoked PETERSEN's bond and issued a bench warrant for PETERSEN's arrest.

1 - SSA [REDACTED] A-2
1 - SSA [REDACTED] A-3
1 - SSA [REDACTED] G-2
1 - SSA [REDACTED] WCC-6
1 - SSA [REDACTED] FCI-3
2 - 139C-LA-127588

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139C-LA-127588-206
[Handwritten signature]

SEO/dw
(7)

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[Handwritten signature]

139C-LA-127588

Same date, a search warrant was executed at PETERSEN's residence, 2270 Laurel Canyon Boulevard, Hollywood, California. As a result of the search, computers and computer related material along with a fraudulent postal employee identification badge with PETERSEN's photograph [REDACTED]
[REDACTED]

Subsequently, SA [REDACTED]
[REDACTED] On 11/15/93, SA [REDACTED]
advised that the [REDACTED]
[REDACTED] believes the
[REDACTED]
[REDACTED] was
connected to case entitled [REDACTED] a money laundering case
assigned to SA [REDACTED] - 166E-LA-141567.

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Subsequently, SA [REDACTED] was contacted and advised of the above. [REDACTED] advised that the case involved extensive [REDACTED] however, SA [REDACTED] does not recall any incident to conclude that his investigation was compromised. The case is currently in trial and one of the subjects remains a fugitive.

0047 MRI 01048

SPECIAL

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DE FBISF #0011 3411757

ZNR UUUUU

O 071756Z DEC 93

FM FBI SAN FRANCISCO

TO DIRECTOR FBI/ROUTINE/

FBI LOS ANGELES/IMMEDIATE/

BT

UNCLAS

CITE: //3790//

PASS: NSD, SSA [REDACTED] LOS ANGELES ADMINISTRATIVE

ASAC.

SUBJECT: KEVIN LEE POULSEN; ESP - X (COMPUTER HACKING); 000047 MRI 01048

OO P12 FBILA

DE FBISF #0011 3411757

ZNR UUUUU

O 071756Z DEC 93

FM FBI SAN FRANCISCO

TO DIRECTOR FBI/ROUTINE/

FBI LOS ANGELES/IMMEDIATE/

BT

UNCLAS

CITE: //3790//

PASS: NSD, SSA [REDACTED] LOS ANGELES ADMINISTRATIVE

ASAC.

SUBJECT: KEVIN LEE POULSEN; ESP - X (COMPUTER HACKING); 000047 MRI 01048

139C 127588-207

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FBI - LOS ANGELES	

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SA
SA
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ANCISCO (65X-SF-98039) (P) (SQUAD 14); KEVIN LEE
OULSEN, AKA; ET AL; IOC; OO: SAN FRANCISCO (139A-335) (P)
(SJRA-2).

RE: TELCONF AMONG AUSA [REDACTED] L.A., AUSA [REDACTED]

[REDACTED] S.F., AND SA [REDACTED] S.F., 10/19/93; TELCAL SA

[REDACTED] L.A. AND SA [REDACTED] 12/6/93.

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FFI 12/11/91.

THIS COMMUNICATION SHALL CONFIRM THE UNDERSTANDING
REACHED IN RE: TELCONF THAT FBI/L.A. WOULD TIMELY PRODUCE
UNIX-BASED COMPUTER CARTRIDGE(S) CONTAINING VERBATIM COPY OF
THE SUBJECT'S FILES FOR PRODUCTION TO DEFENSE COUNSEL. THIS
SHALL FURTHER CONFIRM AGREEMENT WITH AUSA [REDACTED] THAT THE
TAPES WOULD NOT CONTAIN THE TEXT OF "PRIVILEGED" FILES WHICH
LOS ANGELES INTENDED TO WITHHOLD FROM DISCOVERY BY SAN
FRANCISCO DEFENSE COUNSEL.

IT IS RECOGNIZED THAT THE INVESTIGATIONS AND TRIAL
PREPARATIONS IN THIS MATTER HAVE CONSUMED SIGNIFICANT AGENT
TIME IN BOTH DIVISIONS. NEVERTHELESS, COURT-MANDATED
DISCOVERY MUST PROCEED WITHOUT FURTHER DELAY. THE NEXT PRE-
TRIAL HEARING IS SCHEDULED FOR DECEMBER 13, 1993, AT SAN JOSE,
CALIFORNIA. AUSA [REDACTED] EXPECTS TO COMPLETE DISCOVERY OF THE
LOS ANGELES COMPUTER TAPES PRIOR TO THAT HEARING.

LEAD

LOS ANGELES DIVISION

AT LOS ANGELES:

WILL PROVIDE SAN FRANCISCO WITH TWO COMPUTER COPIES OF
NON-PRIVILEGED DISCOVERY MATERIALS, AND FULL DISCLOSURE LIST

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DE FBISF 0011 UNCLAS

LEGED MATERIALS, BY COB 12/10/93.

NNN

[REDACTED]

Special Agent [REDACTED]
Federal Bureau of Investigation
The Federal Building
11000 Wilshire Boulevard, 17th Flr.
Los Angeles, CA. 90024

December 9, 1993

Dear [REDACTED]

Thanks for taking a moment to talk to me the other day even though due to the pending cases you can't say much. I was organizing some of my material the other day and thought you might find this interesting. It's a tape of [REDACTED] and Poulsen winning [REDACTED] from KissFM (the station supplied the tape after I called them about 20 times).

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(Mount Clipping in Space Below)

Key Evidence in Computer Spy Case Disallowed

■ **Courts:** Data tapes found in a storage locker rented by accused hacker should not have been examined by prosecutors without a search warrant, judge rules.

From Times Staff and Wire Reports

Key evidence in an espionage case against a former North Hollywood man accused of several computer hacking crimes was illegally obtained, a federal judge ruled Monday.

U.S. District Judge Ronald Whyte in San Jose said computer tapes found in a storage locker rented by Kevin Lee Poulsen should not have been examined by prosecutors without a search warrant and cannot be used as evidence.

Whyte had ruled the tapes admissible last month but changed his mind, saying he had overlooked evidence that should have put a police officer on notice of Poulsen's privacy rights.

In addition to illegal possession of classified government secrets, Poulsen faces 13 other charges, including eavesdropping on telephone conversations, and tapping into Pacific Bell's computer and an unclassified military computer network. He could be sentenced to 85 years in prison if convicted of all charges.

His lawyer, Paul Meltzer of Santa Cruz, said the sole evidence of the espionage charge is contained on one of the storage locker tapes. Meltzer said a government analyst found that the tape contained a 1987 order, classified secret, concerning a military exercise.

Meltzer said Poulsen maintains that he would not have knowingly possessed military secrets.

Poulsen also faces a trial in Los Angeles on charges that he used his computer skills to defraud a radio station during a Porsche automobile giveaway contest in 1990.

The lawyer said Poulsen, who has been in jail since 1991, has served enough time to be eligible for immediate release even if convicted of all the other charges in the San Jose case. His trial is scheduled to start Jan. 14. Assistant U.S. Atty. Robert Crowe could not be reached for comment.

Poulsen, who lived in Menlo Park at the time of his arrest in the San Jose case, worked in the mid-1980s as a consultant testing Pentagon computer security. He was arrested in 1988 on some of the hacking charges, disappeared and was picked up in April, 1991, after a tip prompted by a television show.

(Indicate page, name of newspaper, city and state.)

Date:
Edition:

Title:

Character:
or
Classification:
Submitting Office:

Indexing:

139C-LA-127588-209

SEARCHED	INDEXED
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1 JAN 1 1991	
FBI - LOS ANGELES	

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 1/5/94

From : SA [REDACTED] (CE-6)

Subject: JUSTIN TANNER PETERSEN -
FUGITIVE (B),
ET AL;
IOC;
OO: LOS ANGELES

On 1/3/94, SA [REDACTED] San Francisco FBI, advised that U.S. District Court Judge RONALD WHYTE, San Jose, has reversed his earlier ruling concerning SF FBI's evidence in captioned matter. During a suppression hearing in November, 1993 in San Jose, Judge WHYTE ruled in favor of the government by ruling the evidence seized in POULSEN's storage locker in Menlo Park, California, admissible, however, after further consideration, Judge WHYTE ruled that the evidence seized from the storage locker by law enforcement authorities was inadmissible.

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A status hearing will be held in San Jose on 1/5/94 where AUSA [REDACTED] San Jose, will file an appeal concerning Judge WHYTE's ruling. In the event the judge does not change his ruling, the matter will be appealed to the 9th Circuit Court of Appeals which will cause an approximate six-month delay in SF FBI case.

In the interim, Los Angeles FBI will arrange to transport POULSEN via a writ, to Los Angeles for an initial appearance and set a trial date in Los Angeles concerning captioned matter.

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139C-LA-127588-210

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FM FBI SAN FRANCISCO (65X-SF-98039) (P) (SQUAD 14)

TO DIRECTOR FBI/ROUTINE/

FBI LOS ANGELES/ROUTINE/

BT

UNCLAS

CITE: //3790//

PASS: NSD, SSA [REDACTED] LOS ANGELES, SA [REDACTED] AND

SA [REDACTED]

SUBJECT: KEVIN LEE POULSEN; ESP - X (COMPUTER HACKING); OO:
SAN FRANCISCO.

RE: SF TTP 1/4/94.

FEI 12/11/91.

ON 1/14/94, U.S. DISTRICT JUDGE RONALD M. WHYTE DENIED
SUBJECT'S REQUEST FOR BAIL FROM THE INDICTMENT PENDING IN THE
NORTHERN DISTRICT OF CALIFORNIA. JUDGE WHYTE RULED THAT

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FBI - LOS ANGELES	

[Signature]

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PAGE TWO DE FBISF 0015 UNCLAS

POULSEN CONSTITUTES A DANGER TO THE COMMUNITY AND A
SIGNIFICANT FLIGHT RISK.

TRIAL ON THAT INDICTMENT WILL BE DELAYED SEVERAL MONTHS
PENDING THE GOVERNMENT'S INTERLOCUTORY APPEAL FROM JUDGE
WHYTE'S 1/3/94 ORDER SUPPRESSING CERTAIN COMPUTER EVIDENCE.

AUSA [REDACTED] WILL RELEASE POULSEN TO LOS ANGELES
CUSTODY FOR TRIAL ON THE CENTRAL DISTRICT INDICTMENT
IMMEDIATELY UPON PETITION OF AUSA [REDACTED] LOS
ANGELES, TO THE U.S. MARSHAL IN SAN JOSE.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/28/94

[redacted] date of birth [redacted]
[redacted] Hollywood, California, telephone
number [redacted] pager number [redacted]
was contacted and interviewed concerning the whereabouts of
JUSTIN PETERSEN and [redacted] provided the following information:

[redacted] stated that approximately two weeks ago,
PETERSEN paged him to a pay telephone with a 213 area code.
PETERSEN told [redacted] that he was leaving town although he did
not say where he was going. [redacted] suspects that PETERSEN has
left town because he has not seen him at the nightclubs in
Hollywood. [redacted] recalled that several weeks ago, PETERSEN
left a message on his answering machine saying [redacted]
[redacted] concluded that PETERSEN probably is in
Mexico because of the difficulty in extraditing someone to the
United States.

[redacted] stated that the last time he saw PETERSEN was
sometime around Halloween, 1993. At the time, PETERSEN had not
changed his appearance and he was driving the same early model
black BMW.

[redacted] stated that he earns approximately [redacted] a
year [redacted]
[redacted] stated that he would not
jeopardize his job by getting involved with PETERSEN. [redacted]
stated that PETERSEN [redacted] he is not
involved in PETERSEN's criminal activities.

Investigation on 1/27/94 at Hollywood, California File # 139C-LA-127588

by SA [redacted] /dw Date dictated 1/27/94

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Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 2/1/94

From : SA [REDACTED] (CE-6)

Subject: JUSTIN TANNER PETERSEN;
KEVIN POULSEN;

[REDACTED]

IOC;
OO: LOS ANGELES

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Following is a summary of events and PETERSEN's association with KEVIN POULSEN. [REDACTED]

The federal case relating to POULSEN originated in February, 1988 when a self storage company in Menlo Park, California, opened a storage unit for inspection due to deficient rental payments. The office manager discovered that the storage unit contained stolen [REDACTED] equipment and local police were notified. Subsequently, an individual purporting to be JOHN ANDERSON appeared at the rental office concerning this particular storage unit. ANDERSON was arrested and subsequently determined to be KEVIN POULSEN. Following POULSEN's arrest, the police department notified the FBI.

Investigation determined that much of the equipment located in the storage unit and from POULSEN's residence, [REDACTED] was stolen PAC BELL equipment. [REDACTED] they were involved in extensive computer fraud, illegal break-ins, burglaries, the illegal and [REDACTED]

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[REDACTED] POULSEN [REDACTED] were also responsible for use of blank PAC BELL identification cards, card laminating and copying machines and fictitious social security cards. POULSEN is believed to have wire-tapped telephone conversations between persons he knew, or was believed to be, infatuated with, socially. Devices were seized that would allow this illegal

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139C-LA-127588-214

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FBI - LOS ANGELES	

monitoring/recording of other party's telephonic conversation. As juveniles in 1980, POULSEN, [] were arrested for computer hacking. Sometime in 1984, Stanford Research Institute (SRI) hired POULSEN [] for their computer expertise. In 1985 or 1986, [] left SRI and went to work for []. It is noted that SRI and [] contract with the Federal Government to research secret and sensitive projects. Sometime between 1986 and 1988, POULSEN befriended PETERSEN [] and proceeded to instruct PETERSEN in all facets of the [] phone system. Subsequently, POULSEN closely aligned himself with PETERSEN []

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On 10/25/89, POULSEN, [] were indicted by Federal Grand Jury on 19 counts to include Title 18, Section 2511-Interception Of Oral Communications and Section 2511-Possessing Electric Devices Whose Primary Purpose Is The Surreptitious Interception Of Electric Communications.

On 11/1/89, an arrest warrant was issued for POULSEN in the Northern District of California, pursuant to the indictment. Also on 11/2/89, arrest warrants were issued for [] [] charging them with conspiracy.

While a fugitive, POULSEN was featured on the network television series "Unsolved Mysteries" in October, 1990 and again in March, 1991.

On 4/11/91, employees at HUGHES MARKET located in Van Nuys, California, recognized a customer in the store as POULSEN. FBI agents had distributed photographs of POULSEN in the area. Subsequently, the HUGHES employees detained POULSEN and notified the FBI. POULSEN is currently awaiting trial in the San Francisco area. []

Following POULSEN's arrest in Los Angeles, POULSEN made collect calls to [] that he had been arrested. POULSEN instructed [] "take care of as much as you can" so that nothing in his apartment would lead to anything else or any other location. However, POULSEN advised [] that authorities did get his wallet with [] license plate number. In a subsequent call to [] and [] POULSEN instructed [] to "get rid of that paper, burn it if you can", referring to the paper that [] had written a message he had provided to [] the previous day. POULSEN also told [] that, [] is going to be looking for some of my stuff, some security stuff" and again requested

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139C-LA-127588

that [] get rid of the paper that [] wrote everything down on. In another call, POULSEN had asked [] had talked to [] had not contacted [] POULSEN informed [] to keep trying to get a hold of []

On 4/14/91, [] removed POULSEN's computer equipment and all related material from POULSEN's apartment to TARZANA SELF STORAGE. Based on statements made by [] to the FBI on 4/30/91, [] the name of an attorney that KEVIN POULSEN may want to contact and also told []

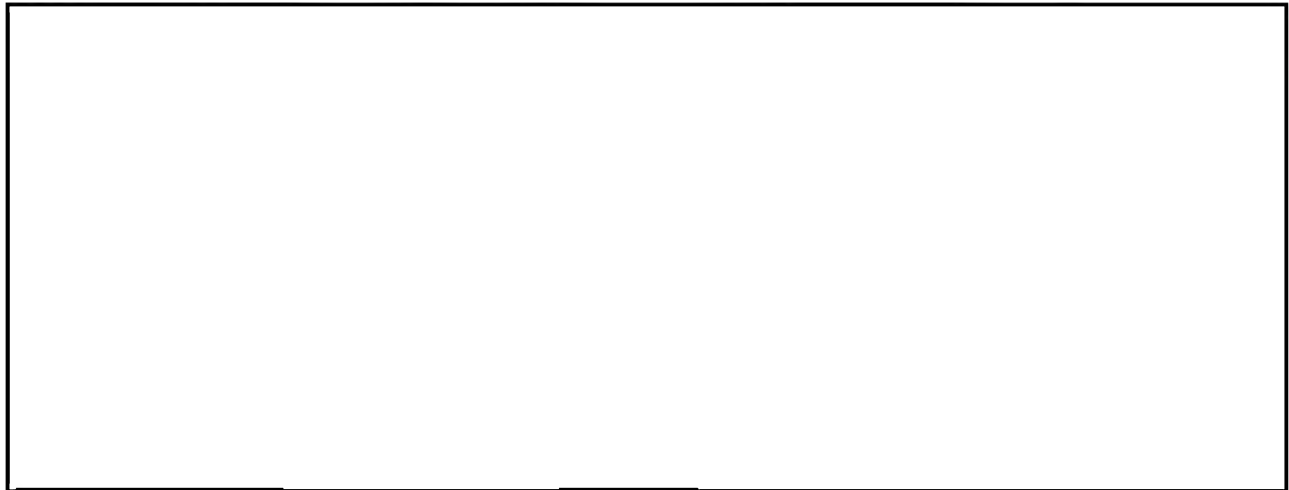
[] what the stuff was and [] said []

Sometime in November, 1990, PETERSEN, after stealing a Porsche in the Los Angeles area, drove to Dallas, Texas, where he was arrested by local authorities on 6/21/91, for possession of a stolen vehicle, and credit card fraud. Subsequently, United States Secret Service (USSS) and U.S. Postal Inspector, in conjunction with local authorities, executed a local search warrant at PETERSEN's residence. Evidence seized included an IBM PC-XT computer, approximately 200 computer diskettes, numerous false birth certificates, TRW Credit Bureau printouts that corresponded to telephone long distance toll records and TRW computers access records, numerous computer and telephone company manuals. []

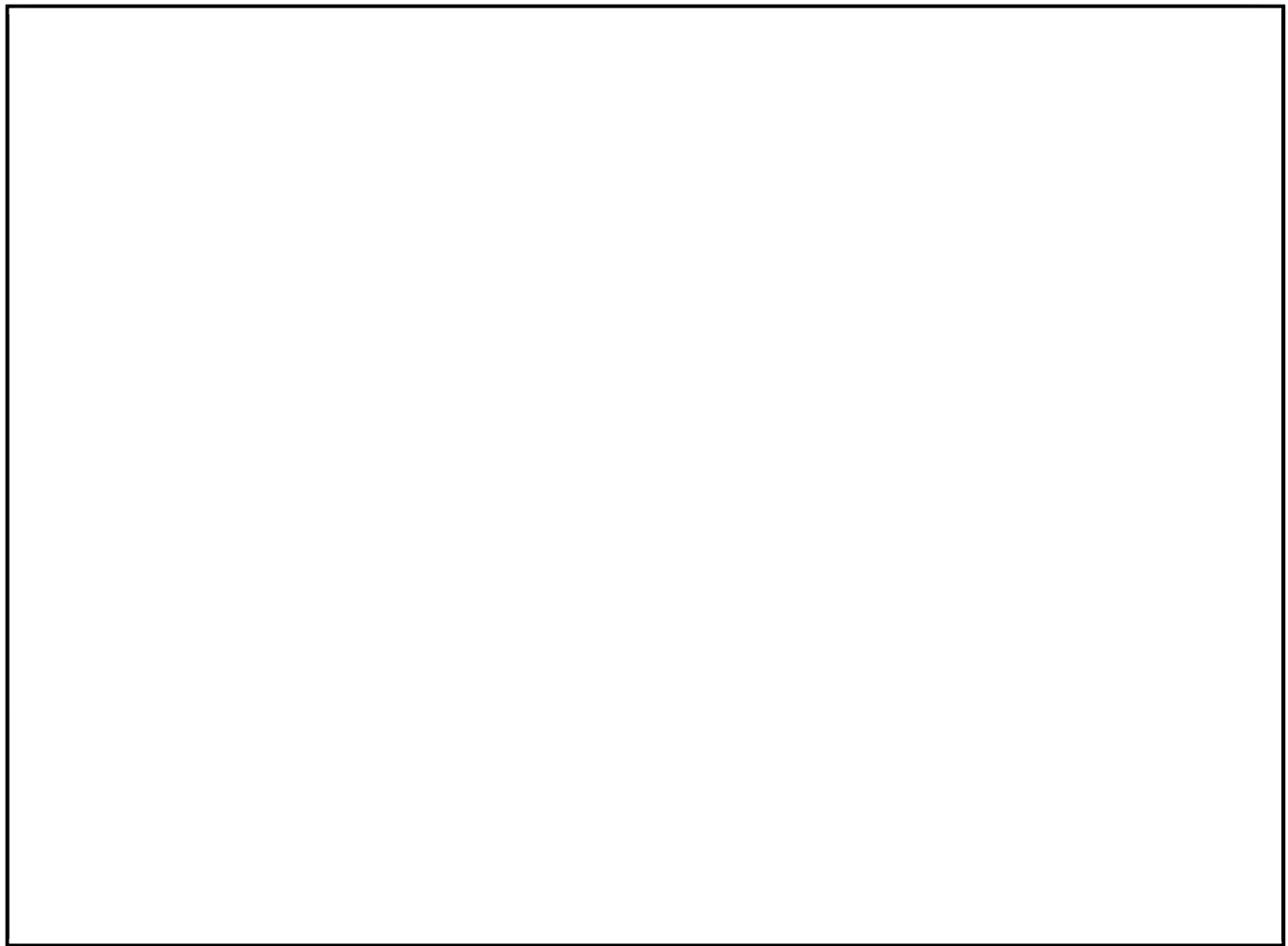
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139C-LA-127588



[redacted] As a result, [redacted] and POULSEN were able to successfully manipulate the telephone lines to the radio stations where they became the recipient of cash awards and trips to Hawaii.



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[REDACTED]

also manipulated the telephone lines to Los Angeles radio stations using the SAS system and as a result, [REDACTED] POULSEN had won over \$100,000 in cash and trips to Hawaii. [REDACTED]

[REDACTED] using a temporary driver's license in the name of [REDACTED] won a \$36,000 944 Porsche from KIIS radio station in Los Angeles and on 6/1/90, POULSEN using a temporary driver's license in the name of MIKE PETERS also won a 944 Porsche from KIIS radio station. Subsequently, both POULSEN [REDACTED] sold the vehicles within a week for approximately \$31,000. [REDACTED]

[REDACTED]

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[REDACTED]

On 10/13/92, information was uncovered to indicate that PETERSEN was involved in criminal activity, specifically, credit card fraud. As a result, PETERSEN and his lawyer were asked to appear at the United States Attorney's Office on 10/22/93. During this meeting, PETERSEN was asked if he had engaged in any criminal activity while out on bail and he was specifically asked if he had been using stolen credit cards. PETERSEN admitted that he had, in fact, been using other people's credit cards and at that point, PETERSEN asked to speak with his attorney. PETERSEN and his attorney indicated that they would return shortly and PETERSEN then fled the courthouse. Same date, U.S. District Court Judge STEVEN WILSON revoked PETERSEN's bail and issued a bench warrant for PETERSEN's arrest. Same date, a search warrant was executed at PETERSEN's residence. As a result of the search, computers and computer related material along with a fraudulent

139C-LA-127588

postal employee identification badge with PETERSEN's photograph

[REDACTED]
[REDACTED] PETERSEN remains a fugitive in this investigation.

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Presently, U.S. District Court Judge RONALD WHYTE, San Jose, California, has recently ruled that a portion of San Francisco FBI's evidence in their case to be inadmissible. Consequently, U.S. Attorney's Office in San Francisco has filed an appeal concerning Judge WHYTE's ruling. Within the next 2 weeks, POULSEN will be transported to Los Angeles for an initial appearance and it is anticipated that trial in Los Angeles will be held sometime in March, 1994. POULSEN's initial appearance in Los Angeles is scheduled for 2/22/94.

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 2/22/94

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/PRIORITY/

INFO FBI SAN FRANCISCO (139A-SF-335)/PRIORITY/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: ECONOMICS CRIMES UNIT.

SUBJECT: JUSTIN TANNER PETERSEN - FUGITIVE (B); KEVIN

POULSEN; IOC; OO: LOS
 ANGELES.

REFERENCE LOS ANGELES TELETYPE DATED 10/26/93.

ON 2/22/94, SUBJECT POULSEN APPEARED BEFORE U.S.

MAGISTRATE MCMAHON, CENTRAL DISTRICT, CALIFORNIA, FOR HIS POST
 INDICTMENT ARRAIGNMENT. MAGISTRATE MCMAHON SET A TRIAL DATE
 FOR 4/12/94 BEFORE U.S. DISTRICT COURT JUDGE REAL, LOS
 ANGELES, CALIFORNIA.

SEO/dw

139C-LA-127588
SEARCHED

INDEXED

SERIALIZED

FILED

Approved: 

Original filename:

DZW001W.053

Time Received:

Telprep filename:

DZW001S0.053

MRI/JULIAN DATE:

1708/054

ISN:

36

FOX DATE & TIME OF ACCEPTANCE:

2/23/94 - 2235

MPO

b6
b7C

^PAGE 2 (139C-LA-127588) UNCLAS

[REDACTED] OF THE LAW FIRM MELTZER AND LEEMING,
REPRESENTED POULSEN IN THE NORTHERN DISTRICT CONCERNING
POULSEN'S PENDING CASE AND THEY HAVE FILED A MOTION TO
REPRESENT POULSEN IN THE CENTRAL DISTRICT. MAGISTRATE MCMAHON
DEFERRED THE RULING TO JUDGE REAL AND PANEL ATTORNEY [REDACTED]
[REDACTED] IS CURRENTLY POULSEN'S ASSIGNED ATTORNEY.

LOS ANGELES WILL KEEP FBIHQ APPRISED OF ANY FURTHER
DEVELOPMENTS.

BT

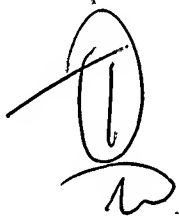
b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/2/94

[redacted] telephone number [redacted] telephonically advised that he was called by JUSTIN PETERSEN approximately [redacted] PETERSEN said that [redacted] on Wednesday (February 23, 1994), however, he has not been re-contacted by PETERSEN. PETERSEN told [redacted] in the Washington, D.C. area. [redacted] stated that PETERSEN had initially [redacted] A few months ago, PETERSEN furnished [redacted] with telephone number [redacted] [redacted] believes that this is the number [redacted]

b6
b7CInvestigation on 2/28/94 at Los Angeles, CA File # 139C-LA-127588by SA [redacted] /dw Date dictated 2/28/94b6
b7C

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/1/94

TO : ADIC, WMFO
(ATTN: SA [] Tysons Corner RA)

FROM : SAC, LOS ANGELES (139C-LA-127588) (CE-6)

SUBJECT : JUSTIN TANNER PETERSEN - FUGITIVE (B);
KEVIN POULSEN;
[]
IOC;
OO: LOS ANGELES

Reference telephone call to SA [] on 2/28/94.

Enclosed are two photographs of JUSTIN PETERSEN.

Captioned subjects were involved in a sophisticated computer hacking scheme in Los Angeles where they were able to obtain computer passwords by physical entry into numerous central offices of []. These burglaries resulted in the hackers obtaining technical manuals, master keys to office space and cipher pad codes.

[]

2 - WMFO (Enc. 2)
2 - Los Angeles

SEO/dw
(4)

139C-LA-127588-217
SEARCHED _____
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SERIALIZED _____
FILED _____

Approved: _____

Transmitted _____

(Number) (Time)

Per _____

[REDACTED]

On July 20, 1992, PETERSEN pled guilty before U.S. District Court Judge STEPHEN WILSON, Los Angeles, to six felony counts to include Title 18, Sections 1030, 2511 and 2313.

On October 22, 1993, PETERSEN and his attorney were asked to appear at the United States Attorney's Office, Los Angeles, as a result of source information recently received by the FBI indicating that PETERSEN may be involved in criminal activities. During this meeting, PETERSEN was asked if he had engaged in any criminal activities while out on bail and he was specifically asked if he had been using stolen credit cards. PETERSEN admitted that he had, in fact, been using stolen credit cards and at that point, PETERSEN asked to speak with his attorney privately. PETERSEN and his attorney indicated that they would return shortly and PETERSEN then fled the courthouse.

On October 22, 1993, U.S. District Court Judge WILSON revoked PETERSEN's bond and issued a bench warrant for his arrest.

Same date, a search warrant was executed at PETERSEN's residence, 2270 Laurel Canyon Boulevard, Hollywood, California. As a result of the search, computers and computer related material along with a fraudulent postal employee identification badge with PETERSEN's photograph [REDACTED]

On February 28, 1994, PETERSEN's [REDACTED] [REDACTED] advised that PETERSEN had called him approximately [REDACTED] PETERSEN said that [REDACTED] Wednesday (2/23/94), however, [REDACTED] has not been re-contacted by PETERSEN. PETERSEN told [REDACTED]

[REDACTED] in the Washington, D.C. area. [REDACTED] stated that PETERSEN had given him [REDACTED] telephone number [REDACTED] a few months ago.

[REDACTED]
approximately [REDACTED]
Annandale, Virginia, telephone number [REDACTED] (home),
telephone number [REDACTED] (work).

It is noted that PETERSEN always [redacted]

b6
b7C
b7E

PETERSEN is described as follows:

Name:	JUSTIN TANNER PETERSEN
Aliases:	Eric Heinz, Martin Jason, Mark Strauss, Jonathan William Taylor, Donald Diers
Race:	White
Sex:	Male
Date of Birth:	7/28/60
Place of Birth:	Washington, D.C.
Height:	6'
Weight:	145 pounds
Eyes:	Brown
Hair:	Brown--shoulder length
SSAN:	508-92-8037
FBI Number:	287 020 AA9
Other Identifying Information:	Prosthetic left leg below the knee
Vehicle:	Early 70s black BMW, California license 3CPU645

PETERSEN is not known to carry any kind of weapon.

LEAD:

WMFO

At Tysons Corner: Discreetly determine through surveillance if PETERSEN is at [redacted] Annandale, Virginia. [redacted] should not be contacted in the event Los Angeles decides to utilize a mail cover.

b6
b7C

Locate and arrest PETERSEN.

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Daily Variety

March 3, 1994 Thursday

SECTION: NEWS; Pg.1

LENGTH: 896 words

BYLINE: MICHAEL FLEMING

PAR'S HACK ATTACK: Though the minds of Paramount execs have surely been on potential whackings, computer hacking was the chief focus of execs Bob Jaffe and John Goldwyn last week. The execs got Par to pay a low six-figure fee against mid-six figures to Jonathan Littman for the rights to make a movie from his Sept. 12 L.A. Times Magazine article "The Last Hacker," and major names are lining up to be involved. It's the story of Kevin Lee Poulson, a skilled computer hacker who was so inventive he once disabled the phone system of KIIS-FM so he could be the 102nd caller and win the \$50,000 Porsche giveaway.

More seriously, he's been charged with using his expertise to breach national security by accessing top secret files and selling the information. He's even suspected of disabling the phone systems of "Unsolved Mysteries" after he was profiled, so that callers couldn't furnish clues to his whereabouts. Poulson was caught and has been in jail for the last three years, facing more than 100 years in prison.

ICM agent Kris Dahl got Littman to turn the article into a book for Little, Brown, and ICM's Irene Webb racked up yet another sale for the screen rights to the hacker story. It was a vigorous tug of war between Touchstone, which was trying to purchase it for "City Slickers" director Ron Underwood, and Paramount, chasing it for producer Oren Koules.

Littman chose Koules, and now, Dish hears, Underwood wants to join Koules to direct. Littman, meanwhile, has remained tight with the underground community of hackers as he researches his book. That takes its toll. Among other things, the mischief meisters have already changed his voice mail greeting to render an obscene proposal.

FBI

TRANSMIT VIA:

- ☐ Teletype
☐ Facsimile
☒ 1

X AIRTEL

PRECEDENCE:

- ☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

- ☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/7/94

TO : SAC, LOS ANGELES
 (ATTN: SA)

FROM: SAC, SAN FRANCISCO ([REDACTED]) (SQ 3).

SUBJECT : KEVIN LEE POULSEN, AKA;
 ESP-X (COMPUTER HACKING);
 OO: SF

Enclosed for Los Angeles is one copy each of the following documents: 1) Government Opposition to Defendant's Motion for Bail (filed 1/12/94); 2) Government Witness List (not filed); 3) Complete set of FD-302s from the subfile.

It is noted that the enclosed Witness List (Northern District case) is not complete. It does not include several names of individuals employed at SRI International who are anticipated as rebuttal witnesses.

No encls att
 2 - Los Angeles (Enc. 2) (SA)

2 - San Francisco

(1 - 139-335) (SJRA)

SWH/swh

(4)

139C-4A-127588-229

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(Number)

(Time)

Per _____

*Either bulb or file
 need items.*

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b7C

b7E

b6
b7C

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ 1

X AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/8/94

TO : SAC, LOS ANGELES
 (ATTN: SA)

FROM *VR/ln* SAC, SAN FRANCISCO (65X-SF-98039) (SQ 3)

SUBJECT : KEVIN LEE POULSEN, AKA;
 ESP-X (COMPUTER HACKING);
 OO: SF

Enclosed for Los Angeles is the original of each of the following items from pending SF file 139-335: 1) 1A(36): R-84 and photographs; 2) 1A(38): Property Receipt; 3) 1A(41): Property Receipt; 4) 1A(43): FD-395; 5) 1A(44): FD-26; 6) 1A(45): Seizure List; 7) 1A(46): Seizure List; 8) 1A(47): Interview Notes of Eric Hines.

- Ans All 1992-1999*
 ② - Los Angeles (Enc. 8) (SA)
 2 - San Francisco (Enc. 16)
 (1 - 139-335) (SJRA)

SWH/swh
 (4)

1*

139C - LA-PT508-221
Ans Q10

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

b6
 b7C
 b7E

Handwritten signature and date 3/10/94

FILE AD9211-A

CALIFORNIA DEPARTMENT OF JUSTICE

DATE: 1-13-94

TIME 06:28

NCIC VALIDATION

PAGE 4

* * *

* OCTOBER RECORDS * WANTED PERSONS FILE * DUE FEBRUARY 14, 1994 * * *

CAFBILA00 FBI-LOS ANGELES

NCIC VALIDATION CHECKLIST

HIS/\$25,000CS REC BOND

FCH/1018830201766 SEX/F RAC/W

DOT/102888 HGT/503 HGT/130 EYE/GRN HAI/BRO

HKE/EH

OUTSTANDING YES () NO ()

NAM/PETERSEN,JUSTIN TANNER

OFF/4999 DOH/102293 HAR/139C127588

OCA/139127588

NIC/H772636486 ORI/CAFBILA00

AKA/HEINZ,ERIC MARTIN

JASON,MARTIN

HEINZ,ERIC E

JASON,MARTIN M

HILLER,HATT E

GROSSMAN,SAHUELL

HEINZ,ERIC

HINES,ERIC

PETERS,JAMES E

DOB/072860 SOC/508928037 ST/CA EXP/93 DDL/C5943904

SHT/HISS L LEG

ADB/112759 546858244

072960

HIS/UNLAWFULFLIGHT TO AVOID PROSECUTION

FCH/1019329501483 SEX/M RAC/W POB/DC

DOT/102293 HGT/510 HGT/170 EYE/HAZ HAI/BRO FBI/287020AA9

HKE/EH

OUTSTANDING YES () NO ()

[Large redacted area]

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ 1

X AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/9/94

TO : SAC, LOS ANGELES
 (ATTN: SA [redacted])

FROM SAC, SAN FRANCISCO (SQ 3)

SUBJECT KEVIN LEE POULSEN, AKA;
 ESP-X (COMPUTER HACKING);
 OO: SF

Enclosed for Los Angeles is one copy of the following items: 1) March 18, 1991 memorandum [redacted]
 2) File copy of [redacted]

AUSA [redacted] produced [redacted] memorandum to Poulsen's attorneys during the discovery phase of the Northern District case.

② - Los Angeles (Enc. 2) (SA [redacted])
 2 - San Francisco
 (1 - 139-335) (SJRA)
 SWH/swh
 (4)

CE-6

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139-335-127583-224

SEARCHED	INDEXED
SERIALIZED	FILED
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FBI - LOS ANGELES	

139-335-127583

Approved: _____ Transmitted _____ (Number) (Time) Per _____

b6
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 b7E

b6
 b7C

~~SECRET~~

DATE: 06-17-2011

CLASSIFIED BY 60324 uc baw sab/ml

REASON: 1.4 (c,d)

DECLASSIFY ON: 06-17-2036

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒

X AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 4/11/94

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

TO : SAC, LOS ANGELES (139C-LA-127558)
 (ATTN: SA)

FROM : SAC, SAN FRANCISCO (65X-SF-98039) (SQ 3)

SUBJECT : KEVIN LEE POULSEN, AKA;
 ESP-X (COMPUTER HACKING);
 OO: SF

This document is marked "~~Secret~~" in its entirety.

Re: SF airtel dated 3/9/94; FBIHQ teletype dated 10/5/93, no copy to Los Angeles.

Enclosed for Los Angeles Division are the following: 1) one copy each of two FD-302 interviews of dated 4/9/91 and 5/1/91, and 2) one copy each of two memorandums from to FBI SA dated 6/26/91 and 8/17/91. The enclosures supplement the transfer of FD-302s. The memorandums are provided to supplement

2 - Los Angeles (Enc. 4) (SA)
 2 - San Francisco
 (1 - 139-335) (SJRA)
 SWH/swh
 (4)

139C-LA-127558-226

SEARCHED <u> </u>	INDEXED <u> </u>
SERIALIZED <u> </u>	FILED <u> </u>
FBI - LOS ANGELES	

Approved ~~SECRET~~

Transmitted

(Number)

(Time)

Per

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b6
 b7C

~~SECRET~~

65X-SF-98039
SWH/swh

The 4/7/94 transfer of San Francisco trial evidence to Los Angeles included the R-Base files of cases presumptively compromised in subject's computer files. Only two presumptively-compromised San Francisco cases are presently authorized for disclosure, as follows:

(S) Per re teletype, this Division obtained DOJ and FBIHQ authorization for the in-court release of information regarding [redacted]

[redacted] An entry in Poulsen's NORTH.CLR file includes the entire text of a "WORD" document from [redacted]

b1
b7E

(S) [redacted] No information was located in Poulsen's files to indicate that he further acted upon the data in that WORD document.

SAC, San Francisco similarly authorized the in-court release of information from an organized crime matter, titled [redacted] et al. (245C-SF-87908 (P)) from Poulsen's NORTH.CLR file. A complete WORD document regarding [redacted] pen register, [redacted] is contained therein. However, Poulsen added a key "signature notation" (/ * 29x648 * /) to the WORD document which correctly revealed the target cable for that pen register. Poulsen could have obtained the notated data only by breaking into the telephone box containing the wire. [redacted]

b3
b6
b7C
b7D

[redacted] pen register.

Poulsen was charged in Count XV of the 10/6/93 San Jose indictment with one count of 18 USC 1030 (a)(4) based upon the above information. The local AUSA who ordered the pen register order has prepared a second order for the District Court to unseal the record for use in trial.

No other materials from the San Francisco R-Base files is authorized for disclosure at this time.

2*

~~SECRET~~

~~SECRET~~

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/18/94

On March 16, 1994, [redacted] doing business as [redacted]
[redacted] telephone number [redacted] San Diego, California,
was telephonically contacted concerning [redacted]
[redacted] dated December 8, 1990, for goods sold to [redacted]
[redacted] Van Nuys, California, totaling
\$245.53.

b6
b7C

Subsequently, [redacted] faxed a copy of telephone equipment
items purchased by [redacted] on December 8, 1990 at the
[redacted] on December 8, 1990 at Montebello,
California.

(telephonically)

Investigation on 3/16/94 at Los Angeles, CA File # 139C-LA-127588by SA [redacted] /dw Date dictated 3/16/94b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/18/94

On March 16, 1994, [redacted] was telephonically contacted concerning [redacted] invoice dated December 8, 1990 of items sold to [redacted]:

[redacted]

b6
b7C
b7D

②

(telephonically)

Investigation on 3/16/94 at Los Angeles, CA File # 139C-LA-127588by SA [redacted] /dw Date dictated 3/16/94b6
b7C

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile

X AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/17/94

TO : SAC, LOS ANGELES
(ATTN: SA [redacted])

FROM ¹¹⁴² SAC, SAN FRANCISCO (██████████) (SQ 3)

SUBJECT 1/: KEVIN LEE POULSEN, AKA;
ESP-X (COMPUTER HACKING);
OO: SF

Enclosed for Los Angeles are the following
evidentiary items: 1) Vehicle registration for [REDACTED]
[REDACTED] 2) DMV Bill of Sale signed by [REDACTED] 3) Vehicle
Title signed by [REDACTED] 4) Notice to Appear signed by [REDACTED]
[REDACTED] 5) Glendale Federal Bank money card (Acct. [REDACTED])

The enclosures supplement the 3/10/94 transfer of evidence from SF file 139A-335 1B section to Los Angeles. The enclosures were seized during the subject's 4/11/91 arrest by Los Angeles SA [REDACTED] SA [REDACTED] subsequently transferred them by hand to San Francisco SA [REDACTED]. The accompanying bulky sheet was included in the 3/10/94 mailing.

② - Los Angeles (Enc. 5) (SA)
2 - San Francisco
(1 - 139-335) (SJRA)
SWH/swh
(4)

1*

SEARCHED INDEXED
SERIALIZED FILED
JUN 11 1964
FBI - LOS ANGELES

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 3/28/94

TO : DIRECTOR, FBI
 (ATTN: NSD, CI-1, IA [redacted])

FROM: SAC, SAN FRANCISCO ([redacted]) (SQ 3)

SUBJECT : KEVIN LEE POULSEN, AKA;
 ESP-X (COMPUTER HACKING);
 OO: SF

This communication is classified "Secret" in its entirety.

RE: SF airtel to LA dated 3/7/94, no copy to the Director; SF telcal to IA [redacted] 3/28/94.

Enclosed for FBIHQ are one copy each of the following four classified FD-302 interviews with [redacted] by SA [redacted] (12/10/91, 10/15/91, 10/8/91) and SA [redacted] (9/20 & 25/91).

For information FBIHQ, the enclosed FD-302s were shipped via referenced airtel to Los Angeles. During the discovery process, those classified documents will likely

~~CONFIDENTIAL~~
~~Per [redacted] [redacted] GADR~~

2 - Bureau (Encs. 4)
 ② - Los Angeles (SA [redacted])
 2 - San Francisco
 (1 - 139-335) (SJRA)
 SWH/swh
 (6)

139C-LA-107580-279

SEARCHED	INDEXED
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FBI - LOS ANGELES	

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 b7C

~~_____~~
SWH/swh

~~_____~~
become available to defense attorneys. During the trial phase, they may become part of the public record. It is proposed that the following protocol be established:

1. Los Angeles Division maintain full discretion, in consultation with its United States Attorney, to share classified material as necessary with defense counsel;

2. FBIHQ declassify in its entirety the FD-302 authored by SA Information regarding the classified SRI projects contained in the FD-302 (pp. 2-5) is available in unclassified technical reports which SRI has produced to the defense during discovery (SRI project names are not classified). Arguably classified information regarding the termination points of private lines servicing San Francisco (p. 8) would appear moot in the wake of the January 1993 physical relocation of the Headquarters office space and the creation of a technical off-site. Moreover, the FD-302 neither confirms nor denies those termination points.

b6
b7C

3. FBIHQ authorize the creation of unclassified versions of SA FD-302s by redacting any arguable references to individual wiretaps. This can be accomplished by redacting names of streets on which the subject located telephone junction boxes containing wiretap equipment. San Francisco opines that the technique of conducting wiretaps from junction boxes, as opposed to other methods, should be considered as sensitive information, but not as classified information.

REQUEST OF THE BUREAU:

FBIHQ is requested to make final declassification and redaction decisions regarding the enclosed FD-302s in a timely manner consistent with the needs of orderly pre-trial discovery in the Los Angeles prosecution.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/1/94

KEVIN POULSEN was contacted at the Metropolitan Detention Center (MDC) for the purpose of providing handwriting exemplars.

POULSEN advised that he had discussed this matter with [redacted] who did not wish to attend, and POULSEN stated that he had no objection to providing handwriting exemplars.

b6
b7C

The examination was initiated at 9:30 a.m. and completed at 11:07 a.m. POULSEN stated he is right-handed and he completed 26 pages of handwriting exemplars. POULSEN initialed and dated the bottom of each page.

Investigation on 3/31/94 at Los Angeles, CA File # 139C-LA-127588

by SAs [redacted] and [redacted] Date dictated 3/31/94
/SEO/dw

b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/4/94

On April 1, 1994,

b3
b6
b7C

(Handwritten signature)

Investigation on 4/1/94 at Los Angeles, CA File # 139C-LA-127588

by SA dw Date dictated 4/1/94

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☐ _____

X AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 4/28/94

TO : SAC, LOS ANGELES (139C-LA-127558)
 (ATTN: SA [redacted])

FROM : SAC, SAN FRANCISCO (65X-SF-98039) (SQ 3)

SUBJECT : KEVIN LEE POULSEN, AKA;
 ESP-X (COMPUTER HACKING);
 OO: SF

b6
 b7C
 b7E

Re: 4/7/94 SF transfer of trial evidence.

Enclosed for Los Angeles is one copy of the contents of a microfiche seized from the subject in February 1988. The listing contains GTE proprietary information regarding the billings of GTE customers in Los Angeles. The listing was prepared for trial in 1993 by [redacted]

San Francisco evidence custodian shall transmit, via separate communication, pertinent evidence from bulky exhibits, as follows: one (1) microfiche titled "West LA" and dated 12/5/81.

For information, [redacted] seized a large percentage of the evidence marked as San Francisco trial exhibits. He is scheduled to take a bar review course between May 24 and July 13, 1994 in preparation for the California Bar Exam from July 25 thru 27, 1994. [redacted]

b6
 b7C

[redacted] in this matter and prepared several reports. His mailing address is [redacted]

[redacted] Oakland, CA 94612 [redacted]

- ② - Los Angeles (Enc 13) (SA [redacted])
 2 - San Francisco
 (1 - 139-335) (SJRA)
 SWH/swh
 (4)

139C-LA-127558-235

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 1 1994	
FBI - LOS ANGELES	

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 4/29/94

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/PRIORITY/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: ECONOMICS CRIMES UNIT.

SUBJECT: JUSTIN TANNER PETERSEN-FUGITIVE (B); KEVIN POULSEN;

 IOC; OO: LOS ANGELES.

REFERENCE LOS ANGELES TELETYPE DATED 1/24/92 AND 2/22/94.

REQUEST OF THE BUREAU:

BUREAU IS REQUESTED TO REINSTATE SAC CASE FUND AUTHORITY
 OF \$20,000 CONCERNING CAPTIONED SUBJECT.

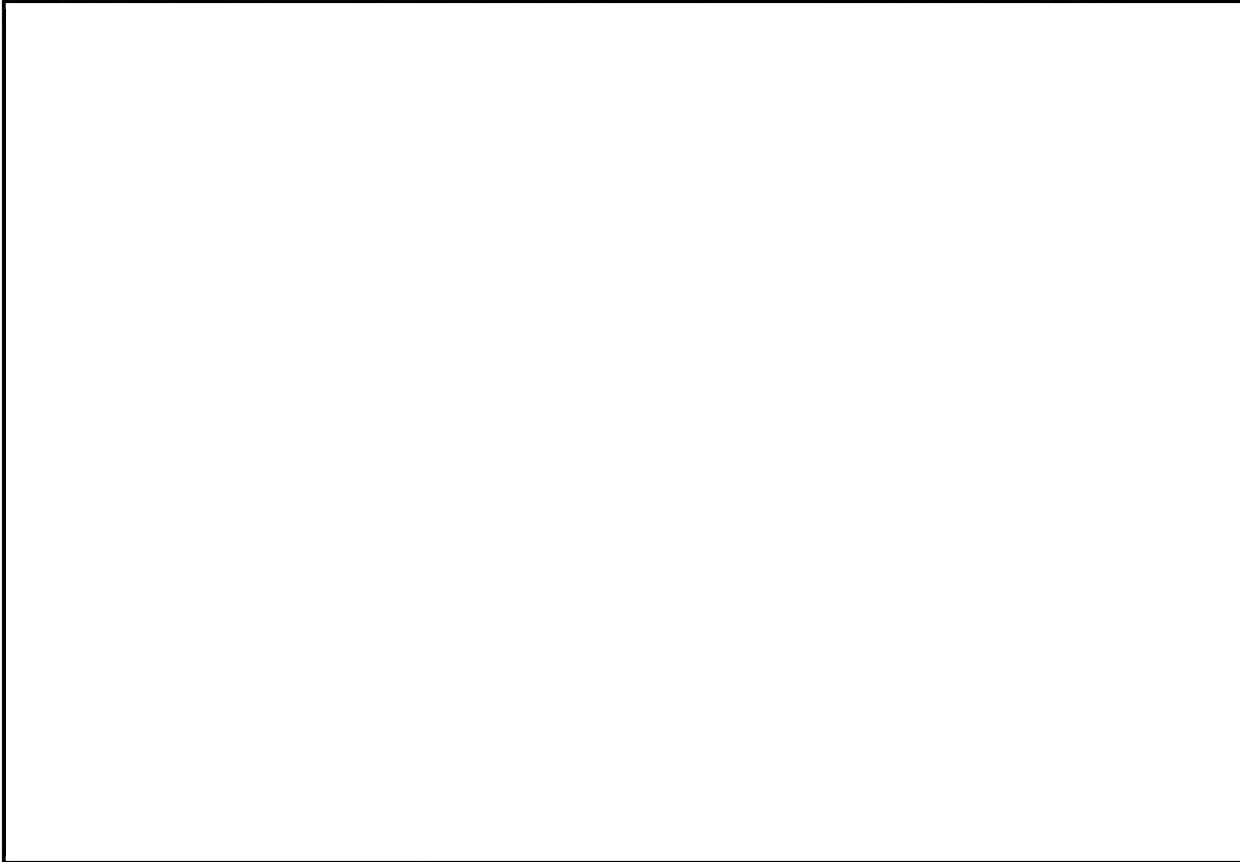
b6
 b7C

PER REFERENCED TELETYPE DATED 1/24/92, LOS ANGELES
 REQUESTED AND RECEIVED A CASE FUND ENHANCEMENT OF \$40,000 TO
 FACILITATE EVIDENCE REVIEW OF THE COMPUTER EQUIPMENT,
 SPECIFICALLY, THE HARD DRIVE OWNED BY SUBJECT POULSEN.

Approved: CP/pOriginal filename: D2W0021602119Time Received: 2:18/12-2Telprep filename: D2W00250, 119MRI/JULIAN DATE: 218/12-2ISN: 011FOX DATE & TIME OF ACCEPTANCE: 5-2-94 2:00 PM

^PAGE 2 (139C-LA-127588) UNCLAS

A DETAILED ANALYSIS OF THE HARD DRIVE DETERMINED THAT



b7D
b7E

PRESENTLY, \$1,963.94 REMAINS OF THE ORIGINAL \$40,000 CASE
FUND ENHANCEMENT. PURSUANT TO THE COMPLETION OF THE APRIL
VOUCHER IN THIS MATTER, \$1,963.94 WILL BE FORWARDED TO FBIHQ
INASMUCH AS ALLOWANCES FOR WITNESS TRAVEL FOR PRE-TRIAL

^PAGE 3 (139C-LA-127588) UNCLAS

INTERVIEWS WERE NOT INCLUDED IN REFERENCED TELETYPE DATED
1/24/92.

THEREFORE, LOS ANGELES WILL FORWARD THE REMAINING FUNDS TO
FBIHQ.

UACB, LOS ANGELES WILL UTILIZE CASE FUND AUTHORITY OF
\$20,000.

BT

Former Van Nuys man pleads guilty to computer fraud

By Janet Gilmore
Daily News Staff Writer

A former Van Nuys resident accused of hacking into computer systems and rigging radio contests pleaded guilty Tuesday to seven federal charges, including conspiracy and computer and mail fraud.

Kevin Lee Poulsen, 28, now faces a maximum sentence of up to 40 years in prison and a \$1.75 million fine. He is scheduled for sentencing in October.

While on his way out of the federal courthouse, Poulsen was asked why he pleaded guilty and answered quietly, "because I am guilty."

Poulsen originally was charged with 19 counts involving a string of incidents that ended April 1991, when Poulsen was arrested at a Van Nuys supermarket.

Those incidents involved the rigging of radio station contests in which Poulsen fraudulently won two Porsches from radio station KIIS-FM (102.7), \$20,000 in cash from KPWR-FM (105.9) and at least two trips to Hawaii and \$2,000 cash from KRTH-FM (101.1), according to prosecutors.

Also, via computer, he tapped into private phone conversations and gained access to government files including information related to undercover businesses used by the FBI. It was not clear how, or if, Poulsen planned to use the information.

"Only Kevin Poulsen knows," said Assistant U.S. Attorney David Schindler.

The federal prosecutor said that, based on numerous factors to be considered during sentencing, Poulsen could get a sentence ranging from three to nine years.

The crimes occurred while Poulsen was a fugitive charged in San Francisco with some of the nation's biggest computer-fraud crimes.

Officials in San Francisco had accused him of stealing Pacific Bell access codes to invade an Army

computer network and obtain information on an FBI investigation involving associates of former Philippine President Ferdinand Marcos.

Much of the sentencing-related documents in the local case were sealed Tuesday by U.S. District Judge Manuel Real because Poulsen is awaiting trial in the San Francisco case.

The full terms of the plea agreement were not disclosed, but attorneys on both sides appeared pleased.

"We think it recognizes the severity of his crime," Schindler said. "I think it sends a message that we're taking computer hacking seriously."

Poulsen's attorney, Michael Brennan, said his client never had a problem pleading guilty to allegations that are true. And, he said, Poulsen's guilty plea Tuesday will reduce his maximum prison sentence.

Under the original 19 charges that were filed, Poulsen faced a maximum sentence of 100 years and an additional \$3 million in fines, Schindler said.

Several co-conspirators of Poulsen already have entered guilty pleas and are awaiting sentencing. Schindler said that Poulsen was the ring leader and faces the longest sentence.

Poulsen, known by the computer nickname "Dark Dante," was indicted in San Francisco in 1989 on computer-fraud crimes that occurred in a Menlo Park "switching room" jammed with stolen telephone equipment, the FBI has said.

Poulsen bleached his hair, assumed an alias and fled authorities. An FBI search ensued, with officials concentrating on Los Angeles and the San Fernando Valley, where Poulsen's father and stepmother lived and where he grew up.

(Indicate page, name of newspaper, city and state.)

DAILY NEWS
WOODLAND HILLS, CA.

Date: WED., 6-15-94

Edition: NEWS, PC. 6

Title: FORMER VAN NUYS MAN
PLEADS GUILTY TO
COMPUTER FRAUD

Character:

or

Classification:

Submitting Office: LOS ANGELES
CE-6

Indexing:

139C-1A-127588-240

SEARCHED	INDEXED
SERIALIZED	FILED
1 AUG 11 1994	
FBI - LOS ANGELES	

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date:
Edition:

Title:

Character: *BK-1A*
or
Classification: *127588*
Submitting Office:

Indexing:

Computer hacker pleads guilty

Man won radio contests, listened in on FBI probes

By Gale Holland

COPLEY NEWS SERVICE

One of the nation's most notorious computer hackers pleaded guilty Tuesday to breaking into telephone systems to rig radio contests and eavesdrop on FBI investigations.

Kevin Lee Poulsen, 28, admitted to seven counts of mail, wire and computer fraud, money laundering and obstruction of justice in exchange for prosecutors' recommendation of a three-year federal prison term, one of his attorneys said. He could have faced 100 years in prison.

The baby-faced defendant, who offered only brief replies in court, later told a reporter he had changed his plea "because I am guilty."

The convicted hacker was featured

on the tabloid television show "Unsolved Mysteries" after he fled the espionage indictment in 1988.

Poulsen continues to battle espionage charges in a separate hacking case in San Francisco, his attorney said.

"There are charges in the Northern District case he feels strongly he is not guilty of," defense lawyer Michael Brennan told reporters.

San Francisco authorities had charged Poulsen with stealing Air Force tasking orders containing classified information about military targets in the event of war. The hacking case, which has not gone to trial, was the first in the nation to use national security statutes. It currently is stalled in federal appeals court, attorneys said.

Assistant U.S. Attorney Robert Crowe said the guilty plea in Los Angeles "substantially helps" the San Francisco case.

"There is overlap," he said.

Poulsen was convicted in Los An-

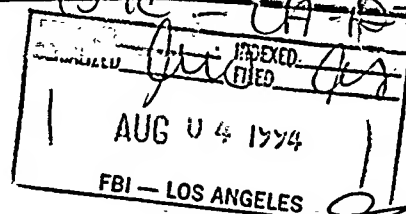
geles in the late 1980s of breaking into a UCLA computer system. He later was hired by SRI International, a Silicon Valley defense contractor, to help with computer security. Officials said they passed off his troubles to youthful indiscretion.

San Francisco authorities, however, later charged Poulsen with using his SRI security clearance to steal military secrets from a Bay Area Air Force base where he had been assigned by the think tank.

Los Angeles investigators, who then picked up Poulsen's trial, said he returned to Los Angeles as a fugitive and began using his computer skills to rig promotional radio giveaway contests.

Poulsen and accomplices would seize all the incoming phone lines into the stations, including KIIS-FM, KRTH-FM and KPWR-FM, thereby ensuring he would be the winner. The scam yielded at least two trips to

HACKER/A4



(Mount Clipping in Space Below)

Hacker

FROM PAGE A3

Hawaii, a pair of Porsches and \$22,000 in cash, federal investigators said.

As part of his plea, Poulsen — known in the hacking universe by the moniker "Dark Dante" — admitted to using aliases and phony identification to claim and sell one of the Porsches.

He also confessed to breaking into government data bases to discover the names and locations of front businesses operated clandestinely by the FBI, as well as wiretaps installed and monitored by federal agents.

(Indicate page, name of newspaper, city and state.)

Date:
Edition:

Title:

Character:
or
Classification:
Submitting Office:

Indexing:

1 NORA M. MANELLA
United States Attorney
2 RICHARD E. DROOYAN
Assistant United States Attorney
3 Chief, Criminal Division
DAVID J. SCHINDLER
4 Assistant United States Attorney
Major Frauds Section
5 DEBRA A. YANG
Assistant United States Attorney
6 Major Crimes Section
1100 United States Courthouse
7 312 North Spring Street
Los Angeles, California 90012
8 (213) 894-0336

9 Attorneys for Plaintiff
United States of America

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12

13 UNITED STATES OF AMERICA,) Case No. CR-93-376(a)-R
14)
Plaintiff,)
15)
v.) NOTICE OF FILING OF PLEA
16) AGREEMENT AND RELATED
KEVIN LEE POULSEN,) EXHIBITS
17)
Defendant.)
18)
_____)


19
20 Plaintiff United States of America, by and through its
21 undersigned attorneys of record, hereby files the following for
22 the Court's review: (a) a copy of the plea agreement in the
23 instant matter, attached as Exhibit A; (b) a copy of the
24 declaration of Kevin Lee Poulsen, attached as Exhibit B; (c) a
25 copy of a Nondisclosure and Security Agreement, attached as
26 Exhibit C; and, (d) a copy of an Assignment of rights executed
27 by Kevin Lee Poulsen, attached as Exhibit D. These documents
28

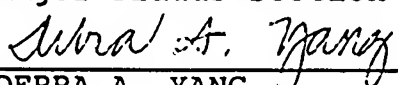
1 are submitted in connection with the change of plea hearing
2 currently scheduled before the Court for Tuesday, June 14, 1994
3 at 1:30 p.m.

4 DATED: June 13, 1994.

5 Respectfully Submitted,

6
7 NORA M. MANELLA
8 United States Attorney
9 RICHARD E. DROOYAN
10 United States Attorney
11 Chief, Criminal Division

12
13 
14 DAVID J. SCHINDLER
15 Assistant United States Attorney
16 Major Frauds Section

17 
18 DEBRA A. YANG
19 Assistant United States Attorney
20 Major Crimes Section

21
22 Attorneys for Plaintiff
23 United States of America
24
25
26
27
28

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 6/15/94

FM FBI LOS ANGELES (139C-LA-127588)
 TO DIRECTOR FBI/PRIORITY/
 FBI SAN FRANCISCO (139A-335)/PRIORITY/
 BT

UNCLAS

CITE: //3410:CE-6//

PASS: ECONOMIC CRIMES UNIT.

TEL-PREP NAME: D2W00150.166
 PRECEDENCE: PRIORITY
 FILE NUMBER: 139C-LA-127588

SUBJECT: KEVIN POULSEN, ET AL; IOC; OO: LOS ANGELES.

FOR INFORMATION OF FBIHQ AND SAN FRANCISCO FIELD OFFICE,
 ON 6/14/94, POULSEN APPEARED BEFORE U.S. DISTRICT COURT JUDGE
 REAL, CENTRAL DISTRICT, CALIFORNIA, AND ENTERED A GUILTY PLEA
 TO 7 COUNTS - TITLE 18, SECTION 371, CONSPIRACY; TITLE 18,
 SECTION 1030(A)(4), ACCESSING A FEDERAL INTEREST COMPUTER
 WITHOUT AUTHORIZATION; TITLE 18, SECTION 1341, MAIL FRAUD;
 TITLE 18, SECTION 2511, INTERCEPTION OF WIRE COMMUNICATIONS
 (TWO COUNTS); TITLE 18, SECTION 1957, MONEY LAUNDERING; AND

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b7C

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139C-1588-243
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 INDEXED

SERIALIZED

FILED

Approved: Cip/SOriginal filename: D2W00150.166Time Received: 3/1/67Telrep filename: D2W00150.166MRI/JULIAN DATE: 3/1/67ISN: 7FOX DATE & TIME OF ACCEPTANCE: @ 0033

Mah

^PAGE 2 (139C-LA-127588) UNCLAS

TITLE 18, SECTION 2232, OBSTRUCTION OF JUSTICE. POULSEN FACES A MAXIMUM OF 40 YEARS INCARCERATION AND \$1.75 MILLION IN FINES. AS PART OF A PLEA AGREEMENT, POULSEN ALSO AGREED TO BE DEBRIEFED AND SUBMIT TO A POLYGRAPH EXAMINATION.

JUDGE REAL SET A SENTENCING DATE FOR 10/17/94.

LOS ANGELES WILL RETURN ALL EVIDENTIARY MATERIAL PREVIOUSLY PROVIDED BY THE SAN FRANCISCO DIVISION ALONG WITH 404B MATERIAL RELATING TO LOS ANGELES INVESTIGATION.

LOS ANGELES IS APPRECIATIVE OF SAN FRANCISCO DIVISION EFFORTS IN THIS MATTER.

LOS ANGELES WILL APPRISE FBIHQ OF ANY FURTHER DEVELOPMENTS IN THIS MATTER.

BT

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 7/18/94

TO : SAC, LOS ANGELES (139C-LA-127588) (CE-6)
 FROM : ADIC, WMFO (C-17) (NVMRA)
 SUBJECT : JUSTIN TANNER PETERSEN - FUGITIVE (B);
 KEVIN POULSEN;

IOC;
 O: LOS ANGELES

Reference LA airtel to WMFO dated 3/1/94.

Enclosed for Baltimore Division is one FD-340 containing two photographs of JUSTIN PETERSEN and two copies of referenced airtel.

For information of Los Angeles and Baltimore Divisions, WMFO has conducted numerous discreet rolling and static surveillances of captioned [redacted] residence at [redacted] Annandale, Virginia, telephone number [redacted] (home), [redacted] (work) with negative results to date. WMFO Agents who live in the same apartment complex continue to conduct spot checks at [redacted] residence.

Investigation at WMFO through birth records have determined that captioned subject [redacted]

[redacted] Upper Marlboro, Maryland, 20772 (NOTE: possibly [redacted]).

2 - Baltimore (Enc, 3)
 ② - Los Angeles
 1 - WMFO
 LMB:lmb*
 (5)

Approved: _____

Transmitted _____

(Number) (Time)

139C-LA-127588

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SERIALIZED	FILED
Per [signature]	
FBI - LOS ANGELES	

244

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b7Cb6
b7C

139C-LA-127588

LEADS:

Baltimore Division, Upper Marlboro, MD.

Baltimore is requested to conduct discreet surveillance at the residence of [redacted] resides at [redacted] Upper Marlboro, Maryland, 20772 (NOTE: possibly [redacted] should not be contacted in the event Los Angeles decides to utilize a mail cover.

Locate and arrest PETERSEN.

Los Angeles Division.

Los Angeles is requested to advise if mail cover has been placed on [redacted] and if any other leads will be forwarded to WMFO.

b6
b7C

(Indicate page, name of newspaper, city and state.)

LOS ANGELES TIMES

(Mount Clipping in Space Below)

Date: July 31, 1994

Hacker in Hiding

Digital Desperado Who Claims to Have Worked
for the FBI Is Now Being Sought by the Agency

By JOHN JOHNSON
TIMES STAFF WRITER

First there was the Condor, then Dark Dante. The latest computer hacker to hit the cyberspace most wanted list is Agent Steal, a slender, good-looking rogue partial to Porsches and BMWs who bragged that he worked undercover for the FBI catching other hackers.

Now Agent Steal, whose real name is Justin Tanner Petersen, is on the run from the very agency he told friends was paying his rent and flying him to computer conferences to spy on other hackers.

Petersen, 34, disappeared Oct. 18 after admitting to federal prosecutors that he had been committing further crimes during the time when he was apparently working with the government "in the investigation of other persons," according to federal court records.

Ironically, by running he has consigned himself to the same secretive life as Kevin Mitnick, the former North Hills man who is one of the nation's most infamous hackers, and whom Petersen allegedly bragged of helping to set up for an FBI bust. Mitnick, who once took the name Condor in homage to a favorite movie character, has been hiding for almost two years to avoid prosecution for allegedly hacking into computers illegally and posing as a law enforcement officer.

Authorities say Petersen's list of hacks includes breaking into computers used by

federal investigative agencies and tapping into a credit card information bureau. Petersen, who once promoted after-hours rock shows in the San Fernando Valley, also was involved in the hacker underground's most sensational scam—hijacking radio station phone lines to win contests with prizes ranging from new cars to trips to Hawaii.

The mastermind of that scheme was Dark Dante, whose real name is Kevin

Poulsen. He is awaiting sentencing in connection with that case, having already spent three years in custody, the longest term in jail for any hacker in history.

Petersen's case reveals the close-knit and ruggedly competitive world of computer hacking, where friends struggle to outdo each other and then, when they are caught, sometimes turn on each other. Petersen boasted of his alleged exploits trapping his former colleagues.

Petersen gave an interview last year to an on-line publication called Phrack in which he claimed to have tapped the phone of a prostitute working for Heidi Fleiss. He also boasted openly of working with the FBI to bust Mitnick.

"When I went to work for the bureau I contacted him," Petersen said in the interview conducted by Mike Bowen. "He was still up to his old tricks, so we opened a case on him. . . . What a loser. Everyone thinks he is some great hacker. I outsmarted him and busted him."

How much of Petersen's story is and how much is chest-thumping

Title: Hacker in Hiding
Metro Section B-1

Character:

or

Classification:

Submitting Office: LOS ANGELES

WCC-6

Indexing:

245
1390-LA-127588-
SEARCHED INDEXED
SERIALIZED FILED
AUG 04 1994
FBI - LOS ANGELES

issue, for he is a shadowy person who didn't even use his own name during the years he spent on the fringes of the Los Angeles rock scene. Tall, good-looking, with long hair down the middle of his back, Eric Heinz, as he was known by everyone, shattered the computer nerd pocket protector stereotype. He frequented the Rainbow Bar and Grill on Sunset Boulevard, often with different women on his arm, and handed out cards identifying himself as a concert promoter and electronic surveillance specialist.

Riki Rachtman, an MTV "vee-jay," said Petersen had a reputation for technical wizardry among the club crowd. "Everybody knew, if you screwed [him] over, he had the power to screw everything" with you, Rachtman said.

But was he really working as a government informant at the same time to ensnare his hacker buddies for the bureau? The FBI refused to talk about Petersen directly. But J. Michael Gibbons, a bureau computer crime expert, expressed doubts. He advises against such relationships.

"It's not safe. Across the board, hackers cannot be trusted to work—they play both sides against the middle," he said. The agents "could have had him in the office. They probably debriefed him at length. Send him out to do things? I doubt it."

But Santa Monica attorney Richard Sherman, who is representing a friend of Mitnick's in another hacker case, has accused the FBI of not only actively using Petersen as an informant, but also of turning a blind eye to Petersen's alleged crimes during the time he was in their care. The crimes involve alleged credit card fraud.

In a May 19 letter to U.S. Atty. Gen. Janet Reno, Sherman said three agents in Los Angeles engaged "in a course of conduct which is illegal and contrary to bureau policy" in handling Petersen.

Jo Ann Farrington, deputy chief of the public integrity section, responded on July 18 that there were no grounds to begin a criminal investigation. Because Sherman had called "into question the ethical conduct of the named special agents," the letter was referred to the Office of Professional Responsibility for review.

"It is factually incorrect that we allowed Mr. Petersen to commit crimes," said Assistant U.S. Atty. David Schindler.

Those who knew Petersen best described him as a bright, verging-on-arrogant man who dressed well and sometimes walked with a cane, a result of a motorcycle accident six years ago that cost him a foot. He sometimes promoted after-hours clubs in the Valley and in Hollywood, according to a partner, Phillip Lamond.

One night the two men were talking about Petersen's adventures. "The difference between you and me," Lamond said Petersen told him, "is I get a thrill from breaking the law."

In the Phrack interview, published on the Internet, an international network of computer networks with millions of users, Agent Steal bragged about breaking into Pacific Bell headquarters with Poulsen to obtain information about the phone company's investigation of his hacking.

He said they found "a lot of information regarding other investigations and how they do wire-taps."

"Very dangerous in the wrong hands," replied Bowen, according to a transcript of the interview.

"We are the wrong hands," Petersen said. Bowen said Petersen still calls him from time to time.

Petersen was arrested in Texas in 1991, where he lived briefly. Court records show that authorities searching his apartment found computer equipment, Pacific Bell manuals and five modems.

An FBI affidavit reveals fear that Petersen could have been eavesdropping on law enforcement investigations. The affidavit says Petersen admitted "conducting illegal telephone taps" and breaking into Pacific Bell's COSMOS computer program, which allows the user to check telephone numbers

**'Across the board,
hackers cannot be
trusted to work—they
play both sides against
the middle.'**

J. MICHAEL GIBBONS
FBI computer crime expert

and determine the location of telephone lines and circuits.

A grand jury in Texas returned an eight-count indictment against Petersen, accusing him of assuming false names, accessing a computer without authorization, possessing stolen mail and fraudulently obtaining and using credit cards.

The case was later transferred to California and sealed, out of concern for Petersen's safety, authorities said. The motion to seal, obtained by Sherman, states that Petersen, "acting in an undercover capacity, currently is cooperating with the United States in the investigation of other persons in California."

Petersen eventually pleaded guilty to six counts, including rigging a radio station contest with a \$20,000 prize. He faced a sentence of up to 40 years in jail and a \$1.5-million fine, but the sentencing was delayed several times while, Sherman believes, Petersen continued working for the government. Lamond said Petersen told him the FBI was paying him \$600 a month "to help them track down hackers."

Then on Oct. 18, 1993, 15 months after entering his first guilty plea, Petersen was confronted outside

federal court by Schindler, who asked if he had been committing any crimes while on bail. Petersen said he had, according to Schindler. Petersen met briefly with his attorney, then took off.

"I've got a big problem and I'm splitting," a friend said he told him the same day.

Attempts to reach Petersen were unsuccessful and his attorney, Morton Boren, said he has "no knowledge of Justin committing any crimes."

Sherman also scores the government for allegedly allowing Petersen, while an informant, to utilize a Pacific Bell Telephone Co. computer called Switched Access Services, or SAS. Sherman said the computer allows operators to intercept telephone calls and place other calls, making it appear the calls originated from other phones.

Rich Motta, executive director of applications, reliability and support for Pacific Bell, said he would not "take a position one way or the other" on Sherman's allegations.

While declining to discuss Petersen's actions, Schindler acknowledged that in the Poulsen case, "we alleged and he pled guilty to the fact of using the SAS system. Among other things, they rigged radio station contests using SAS. It is a test technology they managed to hijack and use for criminal purposes. Once we became aware of it we took steps to correct it."

There are tantalizing hints at links between Mitnick and Petersen, despite their obvious differences in style. Mitnick was the classic computer jockey, overweight and shy, who asked his eventual wife out on their first date by sending her a computer message. Petersen, on the other hand, is flamboyant and self-assured.

The California Department of Motor Vehicles has a file on Petersen, but refused to divulge any information about him, saying the file was being used in another case. "The indications are that it's Mitnick," said Bill Madison, a spokesman for the agency.

Friends say they think Petersen can survive well on the run. "He's already got a lot of experience" living undercover, said one friend.

But Mitnick may be having a tougher time. Lewis De Payne thinks his friend would like to find a way out of his predicament. "It is my opinion he would like to surrender to some type of news media that could provide legal counsel," he said.

In the Phrack interview, Petersen makes no apologies for his choices in life.

While discussing Petersen's role as an informant, Mike Bowen says, "I think that most hackers would have done the same as you."

"Most hackers would have sold out their mother," Petersen responded.

Times staff writer David Colker contributed to this story.

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 8/2/94

From : SA [REDACTED] (CE-6)

Subject: JUSTIN TANNER PETERSEN -
FUGITIVE (B);
KEVIN POULSEN;

[REDACTED]

IOC;

OO: LOS ANGELES

b6
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On 7/31/94, an article appeared in the "Los Angeles Times" concerning PETERSEN detailing his association with the FBI and his current fugitive status. Consequently, several news organizations have requested additional information from the Los Angeles FBI Media Office concerning PETERSEN and his "hacking activities" with subjects POULSEN [REDACTED]. As a result, a conference call was held on 8/1/94 between SA [REDACTED] AUSA [REDACTED] and Los Angeles FBI [REDACTED].

It was agreed that the Media Office would provide Channel 13 a photograph of PETERSEN and a brief statement relating to PETERSEN's bail revocation on October 21, 1993.

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(2)

1*

139C-LA-127588-
[REDACTED] [REDACTED] 246
[REDACTED]

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date:
Edition:

Title:

Character:
or
Classification:
Submitting Office:

Indexing:

LOS ANGELES

**Guilty Plea Entered in
Radio Contest Conspiracy.**

The mastermind behind a computer-based conspiracy to win radio contests offering trips, cars and cash prizes pleaded guilty Tuesday in federal court to seven criminal counts.

Kevin Lee Poulsen, 28, faces up to 40 years in prison and fines of \$1.7 million, said Assistant U.S. Atty. David Schindler. Poulsen is scheduled to be sentenced Oct. 17 by U.S. District Judge Manuel Real.

Poulsen pleaded guilty to single counts of conspiracy, computer fraud, mail fraud, obstructing justice and money laundering, and two counts of intercepting a wire communication.

He had been accused with three others—who earlier pleaded guilty—of using computers to seize control of telephone lines to make sure they were the winning callers for giveaways by KIIS-FM, KRTH-FM and KPWR-FM. Between 1989 and 1992, prosecutors said, Poulsen and his friends won two Porsches, \$20,000 and at least two trips to Hawaii.

139C-LA-127588-248

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 14 1994	
FBI — LOS ANGELES	

**FORMER FBI INFORMANT A FUGITIVE
AFTER HELPING TRACK FELLOW HACKERS**

Sunday, July 31, 1994

Daily News

BY KEITH STONE-Daily News Staff Writer.

Computer outlaw Justin Tanner Petersen and prosecutors cut a deal: The Los Angeles nightclub promoter known in the computer world as "Agent Steal" would work for the government in exchange for freedom.

With his help, the government built its case against Kevin Lee Poulsen, a Pasadena native who pleaded guilty in June to charges he electronically rigged telephones at Los Angeles radio stations so he could win two Porsches, \$22,000 and two trips to Hawaii.

Petersen also provided information on Kevin Mitnick, a Calabasas man wanted by the FBI for cracking computer and telephone networks at Pacific Bell and the state Department of Motor Vehicles, according to court records.

Petersen's deal lasted for nearly two years - until authorities found that while he was helping them undercover, he also was helping himself to other people's credit cards.

Caught but not cornered, the 34-year-old "Agent Steal" had one more trick: He admitted his wrongdoing to a prosecutor at the Los Angeles U.S. Attorney's Office, asked to meet with his attorney and then said he needed to take a walk.

And he never came back.

That same day, Oct. 22, 1993, a federal judge issued an arrest warrant for Petersen, describing him as "most unreliable. Clever, but unreliable."

Now FBI agents are searching for their rogue informant - scouring computer conventions and nightclubs for a man they say can change his identity and fill his pockets with cash just by pushing a few buttons.

Two weeks ago, the U.S. Department of Justice announced it had found no proof of criminal wrongdoing in the government's handling of Petersen, but the case was referred to the FBI's Office of Professional Responsibility for more investigation.

The FBI routinely investigates all "allegations of serious misconduct or criminality on the part of FBI employees," said supervisory special agent Peter Ginieres.

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At 23, Petersen began to read about computers, bought one for himself and spent a lot of time in front of it, Joanne Dvorak recalled. "He had a very deep curiosity about everything," she said.

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DAILY NEWS
7-31-94

Former FBI informant a fugitive after helping track fellow hackers

By Keith Stone
Daily News Staff Writer

Computer outlaw Justin Tanner Petersen and prosecutors cut a deal: The Los Angeles nightclub promoter known in the computer world as "Agent Steal" would work for the government in exchange for his freedom.

With his help, the government built its case against Kevin Lee Poulsen, a Pasadena native who pleaded guilty in June to charges he electronically rigged telephones at Los Angeles radio stations so he could win two Porsches, \$22,000 and two trips to Hawaii.

Petersen also provided information on Kevin Mitnick, a Calabasas man wanted by the FBI for cracking computer and telephone networks at Pacific Bell and the state Department of Motor Vehicles, according to court records.

Petersen's deal lasted for nearly two years — until authorities found that while he was helping them undercover, he also was helping himself to other people's credit cards.

Caught but not cornered, the 34-year-old "Agent Steal" had one more trick: He admitted his wrongdoing to a prosecutor at the Los Angeles U.S. Attorney's Office, asked to meet with his attorney and then said he needed to take a walk. And he never came back.

That same day, Oct. 22, 1993, a federal judge issued an arrest warrant for Petersen, describing him as "most unreliable. Clever, but unreliable."

Now FBI agents are searching for their rogue informant, scouring computer conventions and nightclubs for a man they say can change his identity and fill his pocket with

See PETERSEN / Page 19

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Hacker-turned-informant sought in computer crime

PETERSEN / From Page 1

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(Mount Clipping in Space Below)

Fugitive Hacker Leaves Trail of Strange Claims

■ **Crime:** 'Agent Steal' said he worked undercover for the FBI while awaiting sentencing for crimes that include rigging radio station contests. Case sheds light on shadowy computer world.

By JOHN JOHNSON
TIMES STAFF WRITER

He called himself Agent Steal, computer hacker. He was a slender, good-looking rogue partial to Porsches and BMWs who bragged that he worked undercover for the FBI catching other hackers.

But today Agent Steal, whose real name is Justin Tanner Petersen, is on the run from the very agency he told friends was paying his rent and flying him to computer conferences to spy on the hacking community.

Petersen, 34, a Westside resident, disappeared in October after admitting to federal prosecutors that he had been committing further crimes during the time he claimed to be working with the government "in the investigation of other persons," according to federal court records.

His story is a microcosmic slice of the close-knit and ruggedly competitive world of computer hacking, where friends struggle to outdo each other and then, when they're caught, sometimes turn on each other.

Authorities say Petersen's list of accomplishments, known as "hacks," includes breaking into computers used by federal investigative agencies and tapping into a credit card information bureau.

Petersen, who once promoted after-hours rock shows in the San Fernando Valley, was involved in the hacker underground's most sensational scam: hijacking phone lines at Los Angeles radio station KPWR-FM to win contests with prizes ranging from new cars to trips to Hawaii. The mastermind of that scheme was another hacker, Kevin Poulsen, a.k.a. Dark Dante. Poulsen is awaiting sentencing in connection with the case, having already

Please see HACKER, B4

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HACKER: Fugitive's Trail of Strange Claims

Continued from B1

spent three years in custody, the longest term in jail for any hacker in history.

Petersen has boasted that he trapped former colleagues. Last year he gave an interview to an on-line publication called Phrack in which he claimed to have tapped the phone of a prostitute working for alleged madam Heidi Fleiss. He also bragged of working with the FBI to bust another infamous hacker, Kevin Mitnick, a San Fernando Valley man who has been hiding for almost two years to avoid prosecution for allegedly hacking into computers illegally and posing as a law enforcement officer.

"When I went to work for the bureau I contacted Mitnick," Petersen said in the Phrack interview. "He was still up to his old tricks, so we opened a case on him. . . . What a loser. Everyone thinks he is some great hacker. I outsmarted him and busted him."

Much of Petersen's story may be bunk. He is, after all, a shadowy person who didn't even use his own name during the years he spent on the fringes of the Los Angeles rock scene. Longhaired Eric Heinz, as Petersen called himself, shattered the computer nerd stereotype. He frequented the Rainbow Bar and Grill on Sunset Boulevard, often with different women on his arm, and handed out cards identifying himself as a concert promoter and electronic surveillance specialist.

The FBI refused to talk about Petersen directly. But J. Michael Gibbons, a bureau computer crime expert, said he doubted Petersen was working as a government informant to ensnare his hacker buddies for the bureau.

That kind of relationship is dangerous for the FBI, Gibbons said. "Across the board, hackers cannot be trusted to work—they play both sides against the middle." The agents "could have had him in the office," Gibbons said. "They probably debriefed him at length. [But] send him out to do things? I doubt it."

However, attorney Richard Sherman of Santa Monica, who represents another hacker, has accused the FBI of actively using Petersen as an informant and turning a blind eye to Petersen's alleged credit card fraud during the time he was in the bureau's care.

In a May 19 letter to Atty. Gen. Janet Reno, Sherman said three agents in Los Angeles engaged "in a course of conduct which is illegal and contrary to Bureau policy" in handling Petersen.

Jo Ann Farrington, deputy chief of the Justice Department's public integrity section, responded July 18 that there were no grounds to begin a criminal investigation. Assistant U.S. Atty. David Schindler in the Los Angeles office said, "It is factually incorrect that we allowed Mr. Petersen to commit crimes."

Those who knew Petersen best described him as a bright, verging-on-arrogant man who dressed well and sometimes walked with a cane, a result of a motorcycle accident six years ago that cost him a foot. He sometimes promoted after-hours clubs in the Valley and in Hollywood, according to a partner, Phillip Lamond.

Lamond said Petersen once told him: "The difference between you and me is I get a thrill from breaking the law."

In the Phrack interview, published on the Internet, an international network of computer networks with millions of users, Petersen as Agent Steal bragged about breaking into Pacific Bell headquarters with hacker Poulsen to obtain information about the phone company's investigation of Petersen's hacking.

Petersen said they found "a lot of information regarding other investigations and how they do wire-

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taps."

"Very dangerous in the wrong hands," said Phrack's interviewer, according to a transcript.

"We are the wrong hands," Petersen said.

Petersen was arrested in Texas in 1991, where he lived briefly. Court records show that authorities searching his apartment found computer equipment, Pacific Bell manuals and five modems.

An FBI affidavit expressed fear that Petersen could have been eavesdropping on law enforcement investigations. The affidavit said Petersen admitted "conducting illegal telephone taps" and breaking into Pacific Bell's COSMOS computer program, which allows the user to check telephone numbers and determine the location of telephone lines and circuits.

A grand jury in Texas returned an eight-count indictment against him, accusing Petersen of assuming false names, accessing a computer without authorization, possessing stolen mail and fraudulently obtaining and using credit cards.

The case was transferred to California and sealed out of concern for Petersen's safety. The motion to seal, obtained by attorney Sherman, states that Petersen, "acting in an undercover capacity, currently is cooperating with the United States in the investigation of other persons in California."

Petersen eventually pleaded guilty to six counts, including rigging a radio station contest with a \$20,000 prize. He faced a sentence of up to 40 years in jail and a \$1.5-million fine, but the sentencing was continued several times. Sherman believes Petersen contin-

ued working for the government during that time. Petersen's partner, Lamond, said Petersen told him the FBI was paying him \$600 a month "to help them track down hackers."

On Oct. 18, 1993, 15 months after entering his first guilty plea, Petersen was confronted outside federal court by government attorney Schindler, who asked if he had been committing any crimes while on bail. Petersen said he had, according to Schindler.

Petersen then met briefly with his attorney and took off. "I've got a big problem and I'm splitting," he told a friend the same day.

Attempts to reach Petersen were unsuccessful and his attorney, Morton Boren, said he has "no knowledge of Justin committing any crimes."

Sherman also criticizes the government for allegedly allowing Petersen, while serving as an informant, to utilize a Pacific Bell Telephone Co. computer called Switched Access Services, known as SAS. Sherman said the computer allows operators to intercept telephone calls and place other calls, making it appear the calls originated from other phones.

Rich Motta, executive director of applications, reliability and support for Pacific Bell, said he would not comment on Sherman's allegations.

In the Phrack interview, Petersen made no apologies for his choices in life. Discussing Petersen's alleged role as an informant, interviewer Mike Bowen suggested that "most hackers would have done the same as you."

"Most hackers," Petersen replied, "would have sold out their mother."

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/10/94

[] was telephonically contacted concerning the whereabouts of JUSTIN PETERSEN.

[] advised that he received a telephone call shortly before 12:30 a.m. on August 8, 1994 and the caller hung up. At approximately 12:30 a.m., PETERSEN knocked on his front door. PETERSEN said he was in town for a couple of days and he had heard that a few newspaper articles had been printed concerning his background and fugitive status. PETERSEN said that certain statements in the articles were true, however,

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[] for alleged computer hacker []
[] had blamed him for everything. []

[] he resorted to the theft of credit cards. PETERSEN told [] that he did attempt to make money by promoting rock groups but that failed.

PETERSEN plans to lay low for a couple of years because he figures that the FBI would no longer be looking for him. PETERSEN said that he is currently a bartender and living with a young stripper.

PETERSEN stated that he does not need a car where he is presently located because of the mass transit system. PETERSEN stated that he leaves the car he is currently driving with a friend in Los Angeles. PETERSEN said that he does not associate with his good friend [] because "he does not want [] to be hassled by the FBI."

[] stated that PETERSEN was wearing black trousers, white T-shirt with a black leather blazer. PETERSEN still has shoulder length brown hair and no facial hair. [] stated that PETERSEN did not look any different than when he saw him

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(telephonically)

Investigation on 8/8/94 at Los Angeles, CA File # 139C-LA-127588by SA [] /dw Date dictated 8/8/94

139C-LA-127588

Continuation of FD-302 of , On 8/8/94, Page 2

approximately four months ago. PETERSEN was driving a gold early model BMW with Texas plates. PETERSEN told that he had produced another driver's license utilizing a nickname. PETERSEN departed residence at approximately 2:40 a.m.

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U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No.

11000 Wilshire Blvd. #1700
Los Angeles, CA 90024
August 9, 1994

American Orthetic and Prosthetic Association

[redacted]
1650 King St. #500
Alexandria, Va. 22314

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Dear [redacted]

Per our conversation of August 9, 1994, I am enclosing a photograph and descriptive information about Justin Tanner Petersen; a fugitive currently wanted by the FBI. Any assistance your publication can provide with regard to this fugitive matter would be greatly appreciated.

Justin Petersen pleaded guilty on April 21, 1993, to six felony counts, including conspiracy, two counts of computer fraud, intercepting wire communications, transporting a stolen vehicle across state lines and wrongfully accessing TRW credit files. As part of his guilty plea, Petersen admitted his role in using computers to seize the incoming telephone lines of radio station KPWR-FM in Los Angeles in order to rig a \$10,000 giveaway contest. Petersen also admitted using computers to hack into TRW and Telenet computer systems. While on bail awaiting sentencing, he engaged in further criminal activity and his bond was immediately revoked.

Petersen is a white male, age 34, 6-foot, 145-pounds with long brown hair and dark features. He is an amputee who wears a prosthetic lower left leg and is known to use a cane. Because Petersen's prosthetic leg requires periodic professional treatment, it is strongly believed that he has and will visit a prosthesis proprietor in the United States.

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b7C

- 1 - SAC PARSONS
- ① - SA [redacted]
- 1 - SA [redacted]
- 1 - 80-LA-173701
- 1 - 80-LA-129925

RT/rt

255
139C-LA-127588-
SEARCHED _____
INDEXED _____
SERIALIZED *gcl*
FILED *hjs*
8

As a fugitive, Petersen should be considered armed and dangerous. We are asking anyone who has seen Petersen to avoid confronting him and call their local FBI office or police department. The 24-hour number for the Los Angeles FBI is (310) 477-6565.

Your readers may call FBI Special Agent [redacted] at [redacted] (direct dial) with full confidentiality about information concerning Petersen's whereabouts. Again, we appreciate any assistance you can provide in this matter.

Sincerely,

CHARLIE J. PARSONS
Special Agent in Charge
Los Angeles FBI Field Office

b6
b7C

BY:

[redacted]
Special Agent
Los Angeles FBI Field Office

WANTED BY THE F.B.I. FOR COMPUTER HACKING

JUSTIN TANNER PETERSEN
(Alias Eric Heinz, Martin Jason)

CRIMINAL PROFILE:

On October 22, 1993, PETERSEN's bond was revoked by U.S. District Court Judge WILSON, Central District of California, and a bench warrant was issued for PETERSEN's arrest as a result of continued criminal activities in computer hacking.

PHYSICAL DESCRIPTION:

Date of Birth:	July 28, 1960
Age:	35 years
Height:	6'0"
Weight:	145 pounds
Hair:	Brown (blond) long hair
Eyes:	Brown
Sex:	Male
Race:	Caucasian

MEDICAL PROFILE:

PETERSEN receives periodic treatment for a prosthetic left leg just below the knee.

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 8/9/94

From : SA [REDACTED] (CE-6)

Subject: JUSTIN TANNER PETERSEN -
FUGITIVE;
IOC
OO: LOS ANGELES

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On 8/7/94 and 8/8/94, a surveillance was conducted in the vicinity of GECKOS CLUB, Huntington Beach, California, for the purpose of apprehending captioned subject which proved negative. As a result of contacting [REDACTED] PETERSEN [REDACTED] [REDACTED] stated that PETERSEN has been known to frequent GECKOS on Sunday evening.

On 8/9/94, a photograph of PETERSEN and descriptive data was forwarded to the ASSOCIATION OF ORTHOPEDIC & PROSTHETICS, 1650 King Street, Alexandria, Virginia, for the purpose of placing PETERSEN's photograph in their national publication. Additionally, PETERSEN's photograph and descriptive data will be sent to prosthetic clinics in the greater Los Angeles area and to tanning salons which PETERSEN has been known to frequent on a routine basis.

SEE/dw.
(2)

1*

139C-LA-127588-

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 12 1994	
FBI - LOS ANGELES	

94-256

B



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

11000 Wilshire Boulevard #1700
Los Angeles, CA. 90024
August 8, 1994

Dear Proprietor:

We are writing to you and other tanning salon proprietors in the Los Angeles area to ask for assistance in locating a fugitive suspect wanted by the FBI.

The fugitive, Justin Tanner Petersen, pled guilty to six felony counts in 1993. While on bail awaiting sentencing, he engaged in further criminal activity and his bond was immediately revoked. Petersen is believed to frequent tanning salons in the area. If you see Petersen, we ask that you do not confront him but rather call the FBI at (310) 477-6565, or your local police.

Petersen is described as a white male, age 34, 6 foot, 145 pounds, with long brown hair and dark features. He is an amputee who wears a prosthetic lower left leg and is known to use a cane.

We ask that you and your employees carefully examine the enclosed poster of Petersen. You may call FBI Special Agent [redacted] (direct dial) with full confidentiality about information concerning Petersen's whereabouts. We appreciate any assistance you can provide in this matter.

Sincerely,

CHARLIE J. PARSONS
Special Agent in Charge



Supervisory Special Agent

- 1 - SAC PARSONS
 - 1 - ASAC RICHARD WADE
 - 1 - ASAC JERRY THORNTON
 - 1 - SSA [redacted] (WCC-6)
 - 1 - Night Supervisor
 - 1 - News Media
 - 1 - 80-LA-173701
 - 1 - 80-LA-129925
 - ① - 139C-LA-127588
- SEO/dw
(9)

139C-LA-127588-257
SEARCHED _____
INDEXED _____
SERIALIZED _____
FILED _____

b6
b7C

[Handwritten mark]

WANTED BY THE F.B.I. FOR COMPUTER HACKING

JUSTIN TANNER PETERSEN
(Alias Eric Heinz, Martin Jason)

CRIMINAL PROFILE:

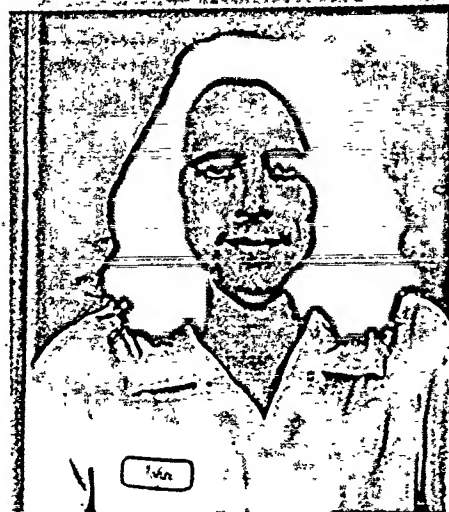
On October 22, 1993, PETERSEN's bond was revoked by U.S. District Court Judge WILSON, Central District of California, and a bench warrant was issued for PETERSEN's arrest as a result of continued criminal activities in computer hacking.

PHYSICAL DESCRIPTION:

Date of Birth:	July 28, 1960
Age:	35 years
Height:	6'0"
Weight:	145 pounds
Hair:	Brown (blond) long hair
Eyes:	Brown
Sex:	Male
Race:	Caucasian

MEDICAL PROFILE:

PETERSEN receives periodic treatment for a prosthetic left leg just below the knee.



BALE-LA-107588-19110

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 8/15/94

TO : SAC, Baltimore

FROM : SAC, Los Angeles Field Office (139C-LA-127588) (P)
 (CE-6)

SUBJECT : JUSTIN TANNER PETERSEN -
 FUGITIVE (B);
 KEVIN POULSEN;



IOC;
 OO: LOS ANGELES

Reference Los Angeles airtel to WMFO dated 3/1/94
 and WMFO airtel dated 7/18/94.

For information of receiving offices, on 8/9/94, a photograph of PETERSEN and descriptive data was forwarded to the American Orthotic & Prosthetic Association, 1650 King Street, #500, Alexandria, Virginia, for the purpose of placing PETERSEN's photograph in their national publication. Additionally, PETERSEN's photograph and descriptive data has been sent to prosthetic clinics in the greater Los Angeles area which PETERSEN has been known to frequent on a routine basis.

2 - Baltimore
 2 - WMFO
 (1 - Northern Virginia
 Metro RA)
 2 - Los Angeles

139C-LA-127588-258

SEARCHED _____
 INDEXED _____
 SERIALIZED gu

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

b6
 b7C

139C-LA-127588

LEADS:

BALTIMORE DIVISION

AT BALTIMORE, MARYLAND: Contact and interview [redacted]
[redacted] concerning the whereabouts [redacted]
JUSTIN PETERSEN and provide results to Los Angeles.

WASHINGTON METROPOLITAN FIELD OFFICE

AT NORTHERN VIRGINIA METRO RA: Contact and
interview [redacted] concerning same.


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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/15/94

On August 15, 1994, [redacted] Beverly Hills Prosthetics, 214 South Robertson Boulevard, Beverly Hills, California, telephone number 310-657-3353, telephonically advised that she had received a copy of the letter and photograph concerning JUSTIN PETERSEN, also known as (aka) Eric Heinz, circulated by the Federal Bureau of Investigation (FBI).

[redacted] stated that she received a telephone call from an individual last week who identified himself as ERIC HEINZ. HEINZ called for the purpose of determining if he could buy a prosthetic sleeve (size NKS100-1) directly from the manufacturer. [redacted] informed HEINZ that the manufacturer would not sell directly to the public. [redacted] also informed HEINZ that he had an outstanding balance due as a result of his last visit on January 19, 1993. HEINZ told [redacted] that she could mail him a bill at 8003 Sunset Boulevard, Box 232, Los Angeles, California. b6
b7C


[redacted] stated that HEINZ's prosthetic sleeve is not unusual and a number of manufacturers supply this particular sleeve to the clinics in the Los Angeles area. [redacted] said that their clinic orders prosthetic sleeves from Daw Industries, [redacted] [redacted] telephone number 1-800-242-8669.

Investigation on 8/15/94 at Los Angeles, CA File # 139C-LA-127588

by SA [redacted] /dw Date dictated 8/15/94

139C-LA-127588
SEO/dw

The following investigation was conducted by Special Agent (SA)

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On August 15, 1994, the Sunset Post Office was contacted concerning subscriber information concerning P.O. Box 232 at 8003 Sunset Boulevard, Los Angeles, California. In a brief discussion with the mail carrier, it was determined that the address 8003 Sunset Boulevard does not exist, however, there is a mailbox rental location at 8033 Sunset Boulevard. The mail carrier advised that she would check this particular address and P.O. Box 232 for the name JUSTIN PETERSEN and ERIC HEINZ.

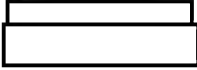
On August 16, 1994, the Sunset Post Office advised that they are not able to search the mail designated for 8033 Sunset Boulevard because the mail is bundled and delivered to that address where it is sorted and delivered to the various post office boxes.



-1-

139C-LA-127588
MJK/mjk

The following subscriber information was obtained from
[redacted] Oakland, CA on August 18, 1994 by Special Agent [redacted]



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Handwritten initials or signature

CLETS - CLETS INQUIRY/UPDATE FREE FORM - ENTER DATA IN TTY FORMAT
 UW
 MWR.1019329501483.PETERSEN,JUSTIN TANNER.AKA/.ERZUMLY,BURT VALENTINO..
 VALENTINO,BURT.

b6
 b7C

UW
 MODIFY FCN/1019329501483
 NAM/PETERSEN,JUSTIN TANNER
 YOUR SUBJECT IS ASSOCIATED WITH:
 ORI/CA0360045 FCN/4369322502056
 NAM, [REDACTED]
 WAR/MVA002485 OFF/5099 OBSTRUCT/GENERAL MISO
 IMMEDIATELY CONFIRM WITH CA0360045 SAN BERNARDINO CO SO MNE/SBO
 TELEPHONE 909 387-3690
 ***** END OF WPS MESSAGE *****

OUTPUT MSG 253, PAGE 01 OF 01, FROM CL10 08/19/94 21:17 NO MSGS WAITING

"SA [REDACTED] -wpc-4
 Validate, Date, Initial, and
 Return to NCIC Operator. If
 Incorrect, Make Necessary
 Change Herein."

NCIC	SUPR.	OPR.	AGENT
ENTER <input type="checkbox"/>			
MODIFY <input checked="" type="checkbox"/>		m	
CLEAR <input type="checkbox"/>			
CANCEL <input type="checkbox"/>			
LOCATE <input type="checkbox"/>			
DATE _____		NCIC# _____	

139C-LA-127588-262

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input checked="" type="checkbox"/>
SERIALIZED <input checked="" type="checkbox"/>	FILED <input checked="" type="checkbox"/>
AUG 19 1994	
[REDACTED] GELES [Signature]	

b6
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AIRTEL

To: Director, FBI
 Att: Criminal Investigative Division
 Fugitive Unit

Date:

INSTRUCTIONS - Reverse Side

NOTE: Priority "A" and "B" Fugitives - With initial submission, set forth a synopsis of crime on reverse side.

From: SAC, Los Angeles 139C-LA-127588

Subject: JUSTIN TANNER PETERSEN, aka
UFAP;

OO: LA

(139C-LA-127588)

- ☐ Ill Inquiry
☐ Initial Submission
☐ Initial Submission - Parental Kidnaping
☒ Supplements FD-65 dated _____

Indicate Fugitive Priority

- ☐ A
☐ B
☒ C
☐ D (Parental Kidnaping)

Caution <input type="checkbox"/>	MKE	Name Justin Tanner Petersen				NAM	Sex SEX	Race RAC																								
Place of Birth		POB	Birth Date	DOB	Date of Emancipation	DOE	Height HGT	Weight WGT																								
			7/28/60				5'10	170																								
Eye Color	EYE	HAI	FBI No.	FBI	Skin Tone	SKN																										
Scars, Marks, Tattoos, and Other Characteristics		Missing Lt. Leg						SMT																								
NCIC Fingerprint Classification	FPC	Other Identifying Number			MNU	Social Security #	SOC																									
						508-92-8037	546-85-8244																									
Operator's License Number	OLN	Operator's License State			OLS	Year Expires	OLY																									
C5943904		CA.																														
Offense Charged _____																																
U. S. Code, Title and Section _____																																
Warrant Issued By _____ on _____						DOW	F.O. File #	OCA																								
Miscellaneous Including Bond Recommended _____ (MIS)																																
LICENSE PLATE AND VEHICLE INFORMATION																																
License Plate Number	LIC	State	LIS	Year Expires	LIY	License Plate Type	LIT																									
Vehicle Identification #	VIN	Year	VYR	Make	VMA	Model	VMO	Style VST																								
								Color VCO																								
Aliases				Additional Identifiers																												
Burt Valentino ERZUMly, Burt Valentino				<table border="1"> <thead> <tr> <th>NCIC</th> <th>SUPR.</th> <th>OPR.</th> <th>AGENT</th> </tr> </thead> <tbody> <tr> <td>ENTER <input type="checkbox"/></td> <td></td> <td></td> <td></td> </tr> <tr> <td>MODIFY <input checked="" type="checkbox"/></td> <td>PWM</td> <td>12/</td> <td>12/12</td> </tr> <tr> <td>DEAR <input checked="" type="checkbox"/></td> <td></td> <td></td> <td></td> </tr> <tr> <td>CANCEL <input type="checkbox"/></td> <td></td> <td></td> <td></td> </tr> <tr> <td>LOCATE <input type="checkbox"/></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					NCIC	SUPR.	OPR.	AGENT	ENTER <input type="checkbox"/>				MODIFY <input checked="" type="checkbox"/>	PWM	12/	12/12	DEAR <input checked="" type="checkbox"/>				CANCEL <input type="checkbox"/>				LOCATE <input type="checkbox"/>			
NCIC	SUPR.	OPR.	AGENT																													
ENTER <input type="checkbox"/>																																
MODIFY <input checked="" type="checkbox"/>	PWM	12/	12/12																													
DEAR <input checked="" type="checkbox"/>																																
CANCEL <input type="checkbox"/>																																
LOCATE <input type="checkbox"/>																																
NCIC # W772636486				DATE 8/19/94 NCIC # _____																												

INSTRUCTIONS

1. **Caution (MKE)** - Insert "C" in block if caution statement indicated. Basis for caution statement must appear in Miscellaneous block, e.g., armed and dangerous.
2. **Name (NAM)** - Place name in this block. Aliases are not to be entered in this block but are to be placed in Aliases block.
3. **Sex (SEX)** - Sex will be designated by one letter, M (male) or F (female).
4. **Race (RAC)** - Race will be described by one letter, A (Asian or Pacific Islander), I (American Indian or Alaskan Native), B (Black), W (White), U (Unknown).
5. **Place of Birth (POB)** - Indicate city and state or, if foreign born, city and country. Where multiple birthplaces are reported, list verified birthplace or that which appears most logical in this block.
6. **Birth Date (DOB)** - Enter as month, day and year. Where multiple birth dates are reported, enter verified birth date or that which appears most logical in this block. Place other dates of birth in Additional Identifiers block.
7. **Date of Emancipation (DOE)** - Must be filled in if individual is a juvenile. Otherwise leave blank.
8. **Height (HGT)** - Express in feet and inches, e.g., 6'0". Round off fractions to nearest inch.
9. **Weight (WGT)** - Express in pounds. Omit fractions.
10. **Eye Color (EYE)** - Use appropriate three-character symbol.
11. **Hair Color (HAI)** - Use appropriate three-character symbol.
12. **Skin Tone (SKN)** - Use appropriate three-character symbol.
13. **Scars, Marks, Tattoos, (SMT), and Other Characteristics** - Place in this block only appropriate NCIC coding for scars, marks, tattoos, birthmarks, deformities, missing body parts and artificial body parts as defined in NCIC Code Manual. If more than one SMT is to be entered, use Additional Identifiers block for additional appropriately coded items. Use Miscellaneous block to describe all scars, marks, tattoos, and other characteristics, which are not defined in the NCIC Code Manual and to more fully describe SMT's which have been entered in SMT block. For example, an appendectomy scar, not being readily visible, would be described in the Miscellaneous block. A tattoo on right arm, shown as TAT R ARM in block, might be further described in Miscellaneous block as a rose tattoo on inside of lower right arm.
14. **NCIC Fingerprint Classification (FPC)** - Enter NCIC fingerprint classification.
15. **Other Identifying Number (MNU)** - Miscellaneous numbers may be entered with appropriate identifiers (prefixes). For first miscellaneous identifying number, use MNU block. When military service number is in fact Social Security Account Number, the number should be entered in both MNU and SOC blocks. Additional identifying numbers are placed in Additional Identifiers block. The identifier (prefix) should precede the number and be separated from the number by use of a hyphen.
16. **Social Security Number (SOC)** - Place subject's Social Security Account Number in this block.
17. **Operator's License Number** - Place subject's operator's license number in OLN block. Also show licensing state (OLS) and year license expires (OLY).
18. **Warrant Issued By-On-(DOW)** - Enter date warrant issued in DOW block. For juvenile offenders, enter the date of violation.
19. **Miscellaneous (MIS)** - Enter additional pertinent information in this block. If caution statement used, basis for statement must be set forth as first item in this block.
20. **License Plate and Vehicle Information** - Place information concerning license plate and/or vehicle known to be in the possession of subject in appropriate blocks under License Plate and Vehicle Information heading.
21. **Additional Identifiers** - Enter information concerning additional license plates (number, state, year expires, and where applicable, type); Social Security Numbers; operator's license number, state and year expires; vehicle information (VIN, VYR, VMA, VMO, VST, VCO); MNU's (see list in item 14 above); visible scars, marks, tattoos, and other characteristics; and dates of birth. Clearly identify what data is being set forth; e.g., Social Security # 423-56-3294; Michigan operator's license 234567, expires 1987; DOB's 4/5/32, 5/3/32; etc.
22. By making an Ill inquiry, the entering agency may become knowledgeable of additional DOBs, AKAs, and other significant information which may aid in the location and/or apprehension of wanted persons.
23. Changes and deletions should be so indicated in the appropriate blocks.

IW

CAFBILA00 RE: QW.CAFBILA00.NAM/PETERSEN, JUST
MATCH MADE ON NAM/PETERSEN, JUSTIN TANNER
NAME FIELD SEARCH REVEALS:

HIT # 001

HIT MADE ON NAM/PETERSEN, JUSTIN TANNER

ORI/CAFBILA00 FCN/1019329501483

NIC/W772636486

NAM/PETERSEN, JUSTIN TANNER 072860 M W 510 170 BRO HAZ DC

DOW/102293 WAR/139C127588 OFF/4999 FLIGHT-ESCAPE FEL ENT/2

BAIL/NO BAIL

OCA/139127588 MIS/UNLAWFULFLIGHT TO AVOID PROSECUTION

AKA/HEINZ, ERIC MARTIN/JASON, MARTIN

HEINZ, ERIC E/JASON, MARTIN M

MILLER, MATT E/GROSSMAN, SAMUELL

HEINZ, ERIC/HINES, ERIC

PETERS, JAMES E/ERZUMLY, BURT VALENTINO

VALENTINO, BURT

SMT/MISS L LEG

SOC/508928037/546858244

OLN/C5943904.CA.93

ADB/112759/072960

SUBJECT MAY BE SAME AS FBI/287020AA9

IMMEDIATELY CONFIRM WITH CAFBILA00 FBI-LOS ANGELES MNE/FBM

TELEPHONE 310 477-6565

CHECKING NCIC

INQUIRY MADE TO RESTRAINING ORDER SYSTEM

***** END OF WPS MESSAGE *****

OUTPUT MSG 254,

FROM CL10 FOR FBI4

08/19/94 21:18

4 IW

CAFBILA00 RE: QRR.CAFBILA00.NAM/PETERSEN, JUS

NO MATCH NAM FIELD

NO RESTRAINING ORDERS

***** END OF ROS MESSAGE *****

OUTPUT MSG. 255, FROM CL10 FOR FBI4 08/19/94 21:19

IM
MPS INQUIRY
MISSING PERSON
DATE:08-19-1994 TIME:21:18:06
RE:QM.CAFBILA00.PETERSEN,JUSTIN TANNER.M.DOB/07281960
*** NO MATCH ON NAM FIELD ***
*** CHECKING NCIC ***
***** END OF MPS MESSAGE *****

OUTPUT MSG 256, FROM CL1@ FOR FBI4 08/19/94 21:19

IJ

1L01

CAFBILA00

MKE/WANTED PERSON

ORI/CAFBILA00 NAM/PETERSEN,JUSTIN TANNER SEX/M RAC/W POB/DC DOB/072860

HGT/510 WGT/170 EYE/HAZ HAI/BR0 FBI/287020AA9

SMT/MISS L LEG SOC/508928037 OLN/C5943904 OLS/CA OLY/93

OFF/FLIGHT-ESCAPE DOW/102293 OCA/139127588

MIS/UNLAWFULFLIGHT TO AVOID PROSECUTION

ORI IS FBI LOS ANGELES CA

DOB/112759 072960

SOC/546858244

AKA/HEINZ,ERIC MARTIN

AKA/JASON,MARTIN

AKA/HEINZ,ERIC E

AKA/JASON,MARTIN M

AKA/MILLER,MATT E

AKA/GROSSMAN,SAMUELL

AKA/HEINZ,ERIC

AKA/HINES,ERIC

AKA/PETERS,JAMES E

AKA/ERZUMLY,BURT VALENTINO

AKA/VALENTINO,BURT

NIC/W772636486

OUTPUT MSG 257,

FROM CL10 FOR FBI4

08/19/94 21:19

IJ
1L01
CAFBILA00
MKE/WANTED PERSON
— ORI/CAFBILA00 NAM/PETERSEN, JUSTIN TANNER SEX/M RAC/W POB/DC DOB/072860
HGT/510 WGT/170 EYE/HAZ HAI/BR0 FBI/287020AA9
SMT/MISS L LEG SOC/508928037 OLN/C5943904 OLS/CA OLY/93
OFF/FLIGHT-ESCAPE DOW/102293 OCA/139127588
MIS/UNLAWFULFLIGHT TO AVOID PROSECUTION
ORI IS FBI LOS ANGELES CA
DOB/112759 072960
SOC/546858244
AKA/HEINZ, ERIC MARTIN
AKA/JASON, MARTIN
AKA/HEINZ, ERIC E
AKA/JASON, MARTIN M
AKA/MILLER, MATT E
AKA/GROSSMAN, SAMUELL
AKA/HEINZ, ERIC
AKA/HINES, ERIC
AKA/PETERS, JAMES E
AKA/ERZUMLY, BURT VALENTINO
AKA/VALENTINO, BURT
AKA/NIC/W772636486

OUTPUT MSG 260, FROM CL10 FOR FBI4 08/19/94 21:19

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/29/94

[redacted] date of birth [redacted] address [redacted] Sherman Oaks, California, telephone number [redacted] was contacted and interviewed at his residence concerning the whereabouts of JUSTIN PETERSEN, also known as Eric Heinz. Thereafter, [redacted] provided the following information:

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[redacted] first met PETERSEN in March, [redacted] through an acquaintance identified as [redacted] PETERSEN. [redacted] December, 1993, [redacted] "ERIC" [redacted] missing his left leg.

Sometime in the beginning of March, [redacted] PETERSEN and [redacted] came over to [redacted] house and [redacted] introduced PETERSEN to [redacted] was then shown a photograph of PETERSEN which he positively identified and PETERSEN appeared the same as depicted in the photograph. [redacted] recalled their conversation being general in nature [redacted] [redacted] stated that he recalled seeing PETERSEN at the RAINBOW CLUB approximately a year ago.

After their initial meeting, [redacted] stated that he began dating [redacted] and their first date was on March 25, [redacted] Although [redacted] was living with [redacted] at his home, [redacted] suspected that [redacted] PETERSEN. As a result, for a one week period beginning the first week of June, [redacted] tape recorded [redacted] phone conversations on his home telephone. [redacted] stated that [redacted] made references to ERIC on the phone and in phone conversations, [redacted] had ERIC on another telephone line while talking to [redacted] on another line. Sometime in July or August, [redacted] to read some newspaper articles concerning PETERSEN and how he was wanted by the FBI. [redacted] advised that [redacted] who is currently unemployed.

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Investigation on 8/22/94 at Sherman Oaks, CA File # 139C-LA-127588

by SA [redacted] /dw Date dictated 8/22/94

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b7C

139C-LA-127588

Continuation of FD-302 of _____, On 8/22/94, Page 2

_____ that PETERSEN had "a place" in Orange County and he was driving a BMW. _____ also told _____ that PETERSEN was working on a two million dollar deal but she did not provide any other information. _____ stated that PETERSEN was possibly using the name NIKOLAI or NAKITA FORBES but _____ would occasionally attempt to purposely mislead him concerning PETERSEN's whereabouts.

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_____ has moved out of his home as a result of an argument. _____ stated that he had talked to _____ on the telephone approximately 3:45 a.m. that morning and _____ said that she had talked to PETERSEN yesterday.

_____ was driving a _____ Chevrolet _____ which she bought from _____ (last name unknown), who was a roommate of _____ (last name unknown). _____ is also a close friend with _____ (last name unknown) who is also _____. _____ stated that _____ would probably live with _____ and _____ who lived on _____ Street in Westwood. According to _____ also knew PETERSEN. _____ stated that _____ is currently living in a duplex on the top floor near the intersection of _____ Avenue and _____ Boulevard which is adjacent to the _____. _____ stated that _____ normally frequented Club "Ugly" and "On The Rocks" Club in Hollywood.

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b7C

_____ provided photographs of _____ and _____ and PETERSEN together. _____ also provided information concerning _____ prescription filled on March 6, 1994 for a Proventil Inhaler _____. _____ telephone number _____.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/30/94

Pursuant to the arrest of JUSTIN PETERSEN on August 29, 1994, the following items were seized from PETERSEN at the time of his arrest:

1. Texas Driver's License in the name of NICHOLAS JASON FORBES, 10001 Westpark 45, Houston, Texas 77042, Driver's License Number 16489704, date of birth 8/9/66. The license is signed NICHOLAS FORBES and PETERSEN's photograph appears on the license.
2. An invoice from RIO'S PAWN SHOP, 805 West 19th Street, Costa Mesa, California, (714) 650-4224, dated 7/18/94, Invoice Number 19199 for a loan amount of \$150 concerning a VCR.
3. An invoice from RIO'S PAWN SHOP dated 7/28/94, Invoice Number 19584 for a loan amount of \$150 concerning a SONY home amplifier.
4. An invoice from RIO'S PAWN SHOP dated 8/27/94, Invoice Number 20558 for a loan amount of \$60 concerning a speaker system.
5. An invoice from RIO'S PAWN SHOP dated 8/27/94, Invoice Number 20559 for a loan amount of \$40 concerning speakers.
6. Miscellaneous business cards.
7. A UPS Air Ship Receipt Number 03343424161 dated 6/29/94.
8. A receipt from FOR EYES OPTICAL COMPANY, 16672 Beach Boulevard, Suite N, Huntington Beach, California, (714) 842-7022, Invoice

Investigation on 8/29/94 at Los Angeles, CA File # 139C-LA-127588

by SA [redacted] dw Date dictated 8/29/94

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9C-LA-127588

Continuation of FD-302 of JUSTIN PETERSEN

, On 8/29/94 , Page 2

Number 123517 in the amount of \$109
concerning Mr. [REDACTED]
Boulevard, Beverly Hills, California, [REDACTED]
[REDACTED] and a notation Plano Poloroid
appears on the invoice.

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9. A cash receipt dated 8/23/94 for an
amount of \$52.92 in the name of FORBES.

10. Three pieces of paper with various phone
numbers.

11. One black wallet.

12. Twenty-nine dollars (\$29) in cash, two
photographs.

13. A set of keys containing a handcuff key
and a postal carrier key.

Memorandum



To : SAC, LOS ANGELES (139C-LA-127588)

Date 8/29/94

From : SA [redacted] (CE-6)

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Subject: JUSTIN PETERSEN -
FUGITIVE (B);
ET AL;
IOC
OO: LOS ANGELES

On 8/18/94, [redacted] Sherman Oaks, California, telephone number [redacted] pager number [redacted] telephonically contacted the Complaint Agent FBI Los Angeles and advised that he knew the whereabouts of fugitive JUSTIN PETERSEN but he did not want to provide any information over the phone.

Same date, [redacted] was contacted at his residence. [redacted] stated that he was asked by his friend [redacted] to contact the FBI and provide pertinent information relating to PETERSEN. [redacted] provided a red telephone book, another phone book, miscellaneous phone bills with the name [redacted] Sherman Oaks, California, telephone number [redacted] appearing on the bills and a letter from the City of Los Angeles concerning outstanding traffic tickets addressed to [redacted] Sherman Oaks, California. [redacted] explained that the phone books belong to [redacted] PETERSEN and is unaware that [redacted] has her phone books. [redacted] also provided a cassette tape recording of telephone conversations taped by [redacted] and other female companions. [redacted] explained that [redacted] suspected that [redacted] PETERSEN. [redacted] believes that PETERSEN may be using the name BURT VALENTINO ERZUMLY, telephone number (818) 346-9961, pager number (818) 587-1112, page code 43, which was listed in [redacted] red phone book.

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SEO/dw
(2)

139C-LA-127588-
JH
JH
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JH

139C-LA-127588

[redacted] is an unemployed [redacted] who is currently living with [redacted] Sherman Oaks. [redacted] is moving out of the [redacted] address and will be living at [redacted] West Los Angeles, telephone number [redacted] [redacted] previously resided at [redacted] West Hollywood, California. [redacted] pager number is [redacted] [redacted] and [redacted] telephone number is [redacted]

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Approximately six weeks ago, [redacted] saw PETERSEN and [redacted] at the TROUBADOUR CLUB on Santa Monica Boulevard in West Hollywood. According to [redacted] PETERSEN and [redacted] were seated with approximately six motorcycle gang members but he could not provide any additional information. [redacted] was shown a photograph of PETERSEN which he positively identified and PETERSEN's appearance was the same as depicted in the photograph.

[redacted] is described as follows:

Name:
Race:
Sex:
DOB:
Hair:
Eyes:
Height:
Weight:
California Driver's
License Number:
Vehicle:

Social Security
Account Number:

Address:

Telephone Number:
Employment:
Arrests:

None, outstanding warrant for traffic tickets amounting to approximately \$1,200

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Close Associates:

Name:

DOB:

Address:

California Driver's
License:

Name:

DOB:

Address:

California Driver's
License:

On 8/16/94, U.S. Probation Officer [redacted] telephone number [redacted] telephonically advised that KEVIN POULSEN's four previous convictions for traffic warrants had been purged from the DMV computer. According to [redacted] the DMV records should not have been purged because these records should remain in the computer for ten years. [redacted] contacted [redacted] DMV Investigator, [redacted] informed [redacted] that these records should not have been deleted and he would pull all the logs to determine the identity of the individual who purged the records. [redacted] stated that it does appear suspicious because these records should remain in the computer for ten years.

On 8/16/94, [redacted] Prosthetic Technician, DAW INDUSTRIES, (800) 242-8669, advised that they did not receive a request from JUSTIN PETERSEN, aka Eric Heinz, concerning a NKS100-1 prosthetic sleeve. [redacted] advised that a NKS100-1 is a knit-rite sleeve which is manufactured by the CASCADE CO., (800) 888-0865. [redacted] said this particular sleeve is very common and it is used widely among his 94 business clients. Same date, [redacted] advised they had not received a request for a NKS100-1 prosthetic sleeve from JUSTIN PETERSEN, aka Eric Heinz. [redacted] added they do not sell directly to the public.

On 8/18/94, DMV Investigator [redacted] was contacted and asked to provide any information to FBI Los Angeles concerning the deletion of these records from the DMV computer. [redacted] advised that it would take approximately three months to determine the identity of the individual who purged these files because reviewing the logs is a tedious process.

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139C-LA-127588

A CLETS check determined that JUSTIN PETERSEN's close friend [REDACTED] is currently residing at [REDACTED] Los Angeles, California 90046. [REDACTED] also shows addresses at [REDACTED] Sherman Oaks, California, and his employment [REDACTED] Sherman Oaks, telephone number [REDACTED] and (818) 850-5483. [REDACTED] beeper number is [REDACTED] PIN Number [REDACTED] and his cellular number is [REDACTED]

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JUSTIN PETERSEN was previously known to be driving a early model blue BMW, license plate 3CPU645. A CLETS check determined that this particular vehicle, a 1979 BMW was sold to [REDACTED] Bell Gardens, California, on 4/22/94.

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 8/30/94

FM FBI LOS ANGELES (139C-LA-127588)

TO DIRECTOR FBI/PRIORITY/

FBI BALTIMORE/PRIORITY/

FBI CHICAGO/PRIORITY/

FBI HOUSTON/PRIORITY/

FBI SAN FRANCISCO/PRIORITY/

FBI WMFO/PRIORITY/

BT

UNCLAS

CITE: //3410:CE-6//

PASS: FBIHQ, ECONOMIC CRIMES UNIT; WMFO, NVMRA.

SUBJECT: CHANGED; JUSTIN TANNER PETERSEN; KEVIN POULSEN;

 IOC; OO: LOS ANGELES.

TITLE MARKED CHANGED TO DELETE FUGITIVE STATUS CONCERNING
 PETERSEN.

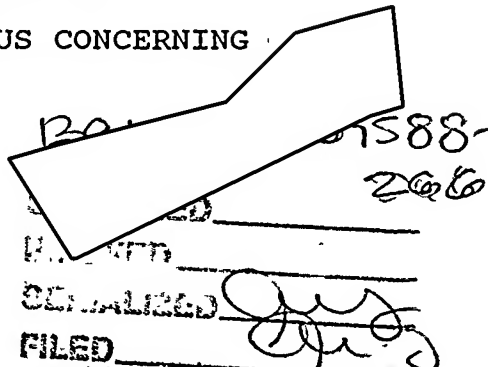
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Approved: CP/jr Original filename: DZW001W.242

Time Received: _____ Telprep filename: DZW00150.242

MRI/JULIAN DATE: 1420/243 ISN: 32

FOX DATE & TIME OF ACCEPTANCE: 8-31-94 1808 Mpo



^PAGE 2 (139C-LA-127588) UNCLAS

ON AUGUST 29, 1994, SUBJECT PETERSEN ARRESTED IN LOS ANGELES WITHOUT INCIDENT. SAME DATE, PETERSEN APPEARED BEFORE U.S. DISTRICT COURT JUDGE WILSON, CENTRAL DISTRICT OF CALIFORNIA, AND A SENTENCING DATE WAS SCHEDULED FOR OCTOBER 31, 1994. PETERSEN WAS REMANDED TO THE CUSTODY OF THE U.S. MARSHAL'S.

AT THE TIME OF ARREST, PETERSEN WAS DRIVING A 1985 BMW TWO-DOOR, TEXAS LICENSE BVX29R, REGISTERED TO T.K. ELECTRONICS, 10878 WEST HEIMER, HOUSTON, TEXAS.

HOUSTON AT HOUSTON, TEXAS, CONTACT T.K. ELECTRONICS AND DETERMINE OWNER OF BMW AND FORWARD RESULTS TO LOS ANGELES.

BT

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

Date:
Edition:

Title:

Character:
orClassification:
Submitting Office:

Indexing:

Computer criminal caught after 10 months on the run

By Keith Stone
Daily News Staff Writer

Convicted computer criminal Justin Tanner Petersen was captured Monday in Los Angeles, 10 months after federal authorities said they discovered he had begun living a dual life as their informant and an outlaw hacker.

Petersen, 34, was arrested about 3:30 a.m. outside a Westwood apartment that FBI agents had placed under surveillance, said Assistant U.S. Attorney David

Schindler.

A flamboyant hacker known in the computer world as "Agent Steal," Petersen was being held without bail in the federal detention center in Los Angeles.

U.S. District Court Judge Stephen V. Wilson scheduled a sentencing hearing for Oct. 31.

Petersen faces a maximum of 40 years in prison for using his sophisticated computer skills to rig a radio contest in Los Angeles, tap tele-

See PETERSEN / Back Page

139C-LA-127588-

267

1591

FBI - LOS ANGELES

(Indicate page, name of newspaper, city and state)

(Mount Clipping in Space Below)

Date:
Edition:

Title:

OCT 1994 DAILY NEWS

FBI agents capture computer criminal

PETERSEN / From Page 1

phone lines and enrich himself with credit cards.

Monday's arrest ends Petersen's run from the same FBI agents with whom he had once struck a deal to remain free on bond in exchange for pleading guilty to several computer crimes and helping the FBI with other hacker cases.

The one-time nightclub promoter pleaded guilty in April 1993 to six federal charges. And he agreed to help the government build its case against Kevin Lee Poulsen, who was convicted of manipulating telephones to win radio contests and is awaiting trial on espionage charges in San Francisco.

Authorities said they later learned that Petersen had violated the deal by committing new crimes even as he was awaiting sentencing in the plea agreement.

The deal fell apart Oct. 22. Petersen admitted that he had not given up computer crime, but somehow managed to slip out of the federal courthouse in Los Angeles.

He then disappeared. Several weeks ago, a man who identified himself as Petersen called the Daily News from an undisclosed location. Petersen's mother later confirmed the caller was him.

Petersen said he was living comfortably outside the United States and working as a bartender. He predicted he wouldn't be caught.

"I think I'll have to run for two

years. They'll stop looking for me, or it will slow down immensely," he said.

"It is annoying that I can't see old friends. I can't go to the Rainbow (Bar and Grill in Hollywood) and enjoy a lobster dinner at the front table," he said.

On Monday, FBI agents acting on a tip were waiting for Petersen when he parked a BMW at the Westwood apartment building. An FBI agent called Petersen's name, and Petersen began to run, Schindler said.

Two FBI agents gave chase and quickly caught Petersen, who has a prosthetic lower left leg because of a car-motorcycle accident several years ago.

Agent Stanley Ornellas was reluctant to discuss the case, except to say that when he caught Petersen, the computer whiz asked: "How did you find me?"

Schindler refused to provide additional details about Petersen's capture or where authorities believe the fugitive had been living.

It remains unclear whether Petersen will be charged additionally with fleeing custody and whether anyone will be charged with harboring a fugitive, Schindler said. Petersen was carrying identification for other people when he was arrested, he added.

"We know obviously there were people he was with," Schindler said.

In court, Petersen declined to comment, saying: "Mum's the

word." He was wearing prison-issue denim and did not appear to have changed his appearance while on the lam, except that his shoulder-length hair was brown rather than dyed blond, as it had been.

His mother, Joanne Dvorak, said she has been in contact with Petersen but did not know he had been arrested.

"If he needs me, I am here," she said. "Maybe this will be a blessing in disguise. Who knows — maybe he will get all straightened out."

"I just don't understand everything that is going on. Why do people do things like that? I just thought he was helping people — not doing bad things," she said.

Under Petersen's plea agreement, he faces a maximum prison sentence of 40 years and a fine of \$1.5 million and three years of supervised release.

Petersen's court-appointed attorney, Morlon Boren, said he hopes the judge takes into account Petersen's cooperation with authorities.

In April 1993, Petersen pleaded guilty to six federal charges including conspiracy, computer fraud, intercepting wire communications, transporting a stolen vehicle across state lines and wrongfully accessing TRW credit files.

Among the crimes that Petersen has admitted to was working with other people to seize control of telephone lines so they could win radio promotional contests. In 1989, Petersen used that trick and walked away with \$10,000 in prize money

from an FM station, court records show.

When that and other misdeeds began to catch up with him, Petersen said, he fled to Dallas, where he assumed the alias Samuel Grossman and continued using computers to make money illegally.

In the summer of 1991 in Dallas, Petersen was pulled over driving a stolen Porsche and was arrested on charges that he had broken into credit bureau computers as part of a credit card scheme.

In the telephone interview several weeks ago, Petersen said his crimes victimized banks, not individuals.

"It wasn't losing any people any money. It was coming from the bank. I do have a conscience," he said.

"Computers have always been interesting to me, and if I can find a sneaky way to make a buck that is interesting and fun — that is fine," he said.

When he was finally arrested in 1991, Petersen said he played his last card.

"I called up the FBI and said: 'Guess what? I am in jail,'" he said.

He said he spent the next four months in prison negotiating for his freedom with the promise that he would act as an informant in Los Angeles.

The FBI paid his rent and utilities and gave him \$200 a week for spending money and medical insurance, Petersen said.

They also provided him with a computer and phone lines to gather information on hackers, he said.

Petersen pointed agents to the location of Kevin Lee Poulsen's computer. Poulsen was convicted in June of rigging radio station telephones to win Porsche cash and a trip to Hawaii.

Poulsen, already has spent 3½ years in custody — more times than any other hacker — and now is awaiting trial in San Francisco on espionage charges that involve breaking into an Army computer network.

Coincidentally, on Monday a federal judge in Los Angeles denied a motion to unseal a plea agreement Poulsen had signed in the radio scheme conviction. But the judge allowed the agreement to be used in the San Francisco case, if the judge there agrees.

Another computer hacker Petersen said he helped the FBI gather information on was Kevin Mitnick, a Calabasas man who was on probation for an earlier computer crime conviction.

Mitnick is a fugitive.

Eventually, Petersen said, the FBI stopped supporting him, so he turned to his nightclubs for income. But when that began to fail, he returned to hacking for profit.

"I was stuck out on a limb. I was almost out on the street. My club was costing me money because it was a new club," he said. "So I did what I had to do. I am not a greedy person."


FBI/DOJ



AFFIDAVIT FOR SEARCH WARRANT



COPY

United States District Court		DISTRICT CENTRAL DISTRICT OF CALIFORNIA	
United States of America vs. A two-door, beige, BMW, Model 325e, Texas License Plate BVX29R		DOCKET NO.	MAGISTRATE'S CASE NO.
		NAME AND ADDRESS OF JUDGE ¹ OR U.S. MAGISTRATE STEPHEN J. HILLMAN UNITED STATES MAGISTRATE JUDGE LOS ANGELES, CALIFORNIA	
The undersigned being duly sworn deposes and says: That there is reason to believe that			
<input type="checkbox"/> on the person of <input checked="" type="checkbox"/> on the premises known as		DISTRICT CENTRAL DISTRICT OF CALIFORNIA	
<u>SEE ATTACHMENT A.</u>			
The following property (or person) is concealed:			
<u>SEE ATTACHMENT B.</u>			
Affiant alleges the following grounds for search and seizure ²			
which are the fruits, instrumentalities, and evidence of violation of Title 18, United States Code, Section 1029, Title 18, United States Code, Section 1030, Title 18, United States Code, Section 1071 and Title 18, United States Code, Section 3146.			
<input checked="" type="checkbox"/> See attached affidavit which is incorporated as part of this affidavit for search warrant			
Affiant states the following facts establishing the foregoing grounds for issuance of a Search Warrant			
(SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED AS PART OF THIS AFFIDAVIT FOR SEARCH WARRANT)			
SIGNATURE OF AFFIANT 		OFFICIAL TITLE, IF ANY SPECIAL AGENT - FBI	
Sworn to before me, and subscribed in my presence: DATE AUGUST 30, 1994.		JUDGE ¹ OR US MAGISTRATE STEPHEN J. HILLMAN	

¹United States Judge or Judge of a State Court of Record.²If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure 41(c), show reasonable cause therefor.

ATTACHMENT A

The automobile to be searched is described as follows: a two-door, BMW, model 325e, beige in color, bearing Texas license plate BVX29R. The automobile has a dent in the left front fender.

ATTACHMENT B

The following records, documents and items are to be seized which constitutes fruits, instrumentalities, and evidence of the crimes of computer fraud in violation of 18 U.S.C. § 1030, and fraud and related activity in connection with access devices in violation of 18 U.S.C. § 1029, concealing a person from arrest in violation of 18 U.S.C. § 1071, and failing to appear after release on bail, in violation of 18 U.S.C. § 3146:

a. Any information, printed or otherwise, referring to credit card account numbers, credit card authorization codes, social security numbers or other information pertaining to access devices;

b. Any documents constituting means of identification, including but not limited to birth certificates, driver's licenses, social security cards, or state identification cards.

c. Records or other documentary evidence indicating the location of Mr. Petersen's residence during the time he has been a fugitive as well as the identity of any person's who may have aided him during the period he was a fugitive;

d. Information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment, including, but not limited to, floppy diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, video cassettes, and any other media which is capable of storing magnetic coding; any and all electronic

devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data, including, but not limited to, computers, computer components, computer peripherals, word processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices; and any and all instructions or programs stored in the form interpreted by a computer or related components, including, but not limited to, operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, radio, or other means of transmission; and any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device.

A F F I D A V I T

I, STANLEY E. ORNELLAS, being duly sworn, hereby depose and say:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed for more than eighteen (18) years. I am currently assigned to the Los Angeles Division of the FBI. I am the case agent on the instant matter. I make this affidavit in support of a search warrant for a two door BMW, model 325e, Automobile, beige in color, bearing Texas license plate BVX29R ("the Automobile").

2. Based on the facts set forth in this affidavit, there is probable cause to believe that the Automobile contains evidence of credit card fraud and/or computer fraud committed by Justin Tanner Petersen ("Petersen") and other individuals not yet identified, in violation of 18 U.S.C. §§ 1029 (fraudulent access devices), 1030 (computer fraud), 1071 (concealing a person from arrest) and 3146 (failure to appear after release on bail).

3. In or about July 1992, Petersen pleaded guilty to multiple felony counts of computer fraud, credit card fraud, interception of wire communications, and conspiracy before the Honorable Stephen V. Wilson, United States District Judge, as part of a plea and cooperation agreement with the government. As part of his plea and cooperation agreement, Petersen was obligated not to commit any additional crimes. Mr. Petersen was released on bail pending sentencing.

4. On or about October 22, 1993, I was present in an

interview with Mr. Petersen and his lawyer at the United States Attorney's Office in Los Angeles. The purpose of the interview was to confront Mr. Petersen with allegations that he had engaged in additional criminal activity while out on bail pursuant to his plea agreement.

5. During the interview, Petersen was asked if he had engaged in any criminal activity while out on bail. He was specifically asked if he had been using credit cards issued to other individuals. Petersen admitted that he had, in fact, been using other people's credit cards.

6. At that point, Petersen asked to speak with his lawyer alone. Petersen and his lawyer then stepped outside and indicated they would return shortly. Petersen then fled the United States Courthouse.

7. On or about October 22, 1993, I was present in court when the Honorable Stephen V. Wilson issued a no-bail bench warrant for Mr. Petersen's arrest for violating the terms and conditions of his release.

8. I have conducted numerous prior interviews with Petersen as part of his plea and cooperation agreement. During these interviews, Petersen provided information relating to the period prior to September 1991, where he:

a. Described how he would engage in unauthorized intrusions into various computers in order to obtain credit card numbers and credit profiles belonging to other individuals;

b. Admitted to stealing mail as a means of obtaining

legitimate credit card numbers and/or information about other individuals which Petersen would then use to fraudulently obtain credit cards;

c. Described how he evaded apprehension by law enforcement agents by using sophisticated electronic equipment to engage counter surveillance and how he used computer equipment to call forward telephone calls in order to thwart the use of traditional means of tracing telephone calls.

9. Between October 22, 1993 and August 29, 1994, Mr. Petersen evaded capture.

10. On or about August 29, 1994, I arrested Mr. Petersen pursuant to the warrant issued by Judge Wilson on October 22, 1993. At the time of his arrest, Mr. Petersen was approaching the Automobile and was in possession of numerous items including: (a) car keys to the Automobile; (b) a fraudulent Texas driver's license in the name of Nicolas Forbes and bearing Petersen's picture; (c) a handcuff key; and (d) numerous credit cards which had been altered. However, Mr. Petersen was not carrying any documents or other evidence which might have revealed where he was living during the past 9 months.

11. Immediately following his arrest, I asked Mr. Petersen for permission to search the Automobile. Although he initially consented to the search, he then asked that the search take place quickly and that I return the keys to his companion.

12. Because of the mobile nature of the Automobile, and because of the ambiguous scope of Mr. Petersen's consent, I

arranged to have the vehicle impounded pending application for this warrant.

13. Based on the foregoing, I believe the Automobile may contain the following evidence which constitutes fruits, instrumentalities, and evidence of the crimes of computer fraud in violation of 18 U.S.C. § 1030, and fraud and related activity in connection with access devices in violation of 18 U.S.C. § 1029, concealing a person from arrest in violation of 18 U.S.C. § 1071, and failing to appear after release on bail, in violation of 18 U.S.C. § 3146:

a. Any information, printed or otherwise, referring to credit card account numbers, credit card authorization codes, social security numbers or other information pertaining to access devices;

b. Any documents constituting means of identification, including but not limited to birth certificates, driver's licenses, social security cards, or state identification cards.

c. Records or other documentary evidence indicating the location of Mr. Petersen's residence during the time he has been a fugitive as well as the identity of any person's who may have aided him during the period he was a fugitive;

d. Information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment, including, but not limited to, floppy

diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, video cassettes, and any other media which is capable of storing magnetic coding; any and all electronic devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data, including, but not limited to, computers, computer components, computer peripherals, word processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices; and any and all instructions or programs stored in the form interpreted by a computer or related components, including, but not limited to, operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, radio, or other means of transmission; and any and all written or printed material which provides instructions or examples concerning the

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operation of a computer system, computer software, and/or any related device.

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STANLEY E. ORNELLAS
Special Agent -- FBI

Sworn and subscribed to
before me on this 30 day
of August, 1994 at
Los Angeles, California

STEPHEN J. HILLMAN

HONORABLE STEPHEN J. HILLMAN
United States Magistrate-Judge

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

Page 1 of 1On (date) 8/30/94

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

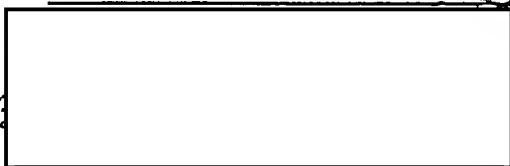
(Name) 1985 BMW(Street Address) Texas Plate BVX 29K

(City) _____

Description of Item(s):

- ① Calif License Plate 3EWB299 10/94 Reg
- ② Calif License Plate 2TW6233 7/93
- ③ Texas License Plate BVX 29K
- ④ 1 Black leather case containing 1985 PS/Note 425 laptop computer, Serial # 23W5460
- ⑤ Iridio Touch Luminator Model EL-4 S# 4100-6281
- ⑥ White canvas bag with Misc. Electrical Tools
- ⑦ Icon Scanner S# 117602
- ⑧ 2 Motorola Walkie-Talkie Radios P10
- ⑨ Misc document relating to car insurance + TK Electronics
- ⑩ Manila Envelope addressed to Michael Forbes, 4841 King Ct #17 Huntington Beach, CA
- ⑪ Record Entry Card, Sprinter Systems Glendale, CA
- ⑫ 1 3x5 Spiral notebook w/ red cover
- ⑬ Calif DL #133459198 Durrell Eugene Martin 1628 Iowa St. Unit C Costa Mesa, CA 4/4/68
- ⑭ Radio Shack CB Plugger Model 21-1520 S# 115528
- ⑮ Black T-shirt w/ CHP patch w/ name of Los Angeles
- ⑯ Black Hat w/ CHP patch
- ⑰ Police Radio Frequency Guide
- ⑱ Kenwood Pro-43 Scanner S# 047758
- ⑲ 1 Tool belt w/ Police Equipment Tools

Received by:



Received from _____

(Signature)

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/1/94

On August 31, 1994, [REDACTED]
Oakwood Apartments, 880 Irvine Avenue, Newport Beach, California,
telephone number (714) 722-5555, provided the following documents
concerning JUSTIN PETERSEN, also known as (aka) Nicholas Jason
Forbes:

1. A xerox copy of a Texas driver's license concerning NICHOLAS JASON FORBES, 10001 Westpark 45, Houston, Texas, and PETERSEN's picture appeared on the license.
2. A document entitled "Application for Deposit Refund" concerning an initial security deposit of one hundred dollars (\$100) and a refund of twenty-five dollars (\$25) to NICHOLAS FORBES, 201 East 16th Street, Costa Mesa, California.
3. A 1993 W-2 Wage and Tax Statement concerning NICHOLAS J. FORBES, 1301 Stanley Hills Drive, Los Angeles, California. The W-2 Form indicated that PETERSEN allegedly worked for DAVID LAWRENCE EDITIONS, 9507 Santa Monica Boulevard, Beverly Hills, California, and his earnings were Twenty-nine Thousand Four Hundred Eighty-five and 23/100 Dollars (\$29,485.23). PETERSEN also provided an employee identification number of 95-2795620 and a social security account number of 546-85-1028.
4. A document entitled "Credit Application" signed by NICHOLAS FORBES.
5. A document entitled "Application for a Deposit Refund" dated July 12, 1994 and the refund check is to be mailed to NICHOLAS

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Investigation on 8/31/94 at Newport Beach, CA File # 139C-LA-127588 -269
by SA [REDACTED] dw Date dictated 8/31/94

139C-LA-127588

Continuation of FD-302 of , On 8/31/94, Page 2

FORBES, 201 East 16th Street, Apartment A,
Costa Mesa, California.

6. A xerox copy of a Oakwood Garden
Apartment check number 009997 dated July 12,
1994 in the amount of Twenty-five Dollars
(\$25) payable to NICHOLAS FORBES, 201 East
16th Street, Costa Mesa, California.

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7. An Oakwood initial registration form
completed by PETERSEN utilizing the name
NICHOLAS FORBES, 1301 Stanley Hills, Los
Angeles, telephone number (310) 278-0882 and
PETERSEN listed his company name as DAVID
LAWRENCE EDITIONS.

AFFIDAVIT FOR SEARCH WARRANT

COPY

94-1917-11

United States District Court		DISTRICT CENTRAL DISTRICT OF CALIFORNIA	
United States of America vs. 201 EAST 16TH STREET, APARTMENT A, AND THE GARAGE CONNECTED TO APARTMENT A, COSTA MESA, CALIFORNIA		DOCKET NO.	MAGISTRATE'S CASE NO. 94-1917-11
		NAME AND ADDRESS OF JUDGE¹ OR U.S. MAGISTRATE² HON. JOSEPH REICHMANN U.S. COURTHOUSE 312 N. SPRING STREET LOS ANGELES, CALIFORNIA 90012	

The undersigned being duly sworn deposes and says: That there is reason to believe that

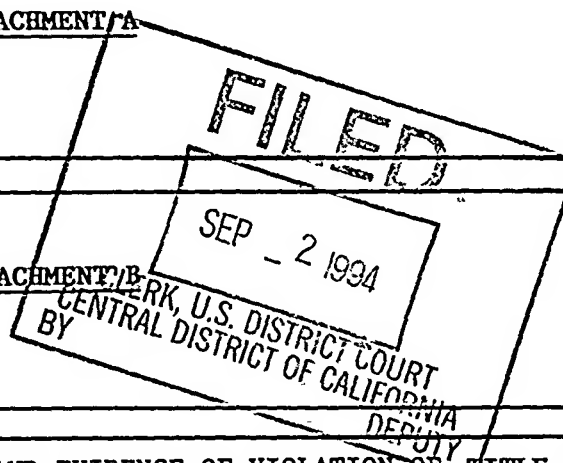
☐ on the person of ☒ on the premises known as

DISTRICT
CENTRAL DISTRICT OF CALIFORNIA

SEE ATTACHMENT/A

The following property (or person) is concealed:

SEE ATTACHMENT/B



Affiant alleges the following grounds for search and seizure:

WHICH ARE THE FRUITS, INSTRUMENTALITIES, AND EVIDENCE OF VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1029, TITLE 18, UNITED STATES CODE, SECTION 1030, TITLE 18, UNITED STATES CODE, SECTION 1071 AND TITLE 18, UNITED STATES CODE, SECTION 3146.

☐ See attached affidavit which is incorporated as part of this affidavit for search warrant

Affiant states the following facts establishing the foregoing grounds for issuance of a Search Warrant

(SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED AS PART OF THIS AFFIDAVIT FOR SEARCH WARRANT).

SIGNATURE OF AFFIANT 	OFFICIAL TITLE, IF ANY SPECIAL AGENT - FBI 124C-LA-127588-2710 b6 b7C
Sworn to before me, and subscribed in my presence:	
DATE SEPTEMBER 2, 1994	JUDGE¹ OR US MAGISTRATE² JOSEPH REICHMANN

¹United States Judge or Judge of a State Court of Record.

²If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure 41(c), show reasonable cause therefor.

DJS:cp

ATTACHMENT A

The Premises are described as follows: 201 East 16th Street, Apartment A, is a single-story stucco building, beige in color with brown trim. Apartment A is one of four units located at 201 East 16th Street. Apartment A is a separate unit. However, another unit extends over the top of the garage connected to Apartment A. The Premises are located on the northeastern corner of the intersection of East 16th Street and Orange Avenue. There is a brown door on the northern side of the Apartment with the numbers "201", brown in color, above the door. There is a second door, brown in color, on the south side of the Apartment with the letter "A" above it. The second door to the Apartment is accessible through a brown colored gate located on the western side of the property housing the Premises. The gate leads to an interior courtyard which provides access to the other units located on the property as well as to the second door leading to the Apartment. The garage to Apartment A is located due east of the unit and is connected to Apartment A. The garage door has a padlock on it.

ATTACHMENT B

The following records, documents and items are to be seized which constitutes fruits, instrumentalities, and evidence of the crimes of computer fraud in violation of 18 U.S.C. § 1030, and fraud and related activity in connection with access devices in violation of 18 U.S.C. § 1029, concealing a person from arrest in violation of 18 U.S.C. § 1071, and failing to appear after release on bail, in violation of 18 U.S.C. § 3146:

a. Any information, printed or otherwise, referring to credit card account numbers, credit card authorization codes, social security numbers or other information pertaining to access devices;

b. Any documents constituting means of identification, including but not limited to birth certificates, driver's licenses, social security cards, or state identification cards.

c. Records or other documentary evidence indicating the location of Mr. Petersen's residence during the time he has been a fugitive as well as the identity of any persons who may have aided him during the period he was a fugitive;

d. Information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment, including, but not limited to, floppy diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, video cassettes, and any other media which is capable of storing magnetic coding; any and all electronic

devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data, including, but not limited to, computers, computer components, computer peripherals, word processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices; and any and all instructions or programs stored in the form interpreted by a computer or related components, including, but not limited to, operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, radio, or other means of transmission; and any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device.

A F F I D A V I T

I, Stanley E. Ornellas, being duly sworn, hereby depose and say:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed for more than eighteen (18) years. I am currently assigned to the Los Angeles Division of the FBI. I am the case agent on the instant matter. I make this affidavit in support of a search warrant for 201 East 16th Street, Apartment A, Costa Mesa, California and the garage connected to Apartment A (together referred to hereafter as "the Premises").

2. The Premises are described as follows: 201 East 16th Street, Apartment A, is a single-story stucco building, beige in color with brown trim. Apartment A is one of four units located at 201 East 16th Street. Apartment A is a separate unit. However, another unit extends over the top of the garage connected to Apartment A. The Premises are located on the northeastern corner of the intersection of East 16th Street and Orange Avenue. There is a brown door on the northern side of the Apartment with the numbers "201", brown in color, above the door. There is a second door, brown in color, on the south side of the Apartment with the letter "A" above it. The second door to the Apartment is accessible through a brown colored gate located on the western side of the property housing the Premises. The gate leads to an interior courtyard which provides access to the other units located on the property as well as to the second door

leading to the Apartment. The garage to Apartment A is located due east of the unit and is connected to Apartment A. The garage door has a padlock on it.

3. Based on the facts set forth in this affidavit, there is probable cause to believe that the Premises contain evidence of credit card fraud and/or computer fraud committed by Justin Tanner Petersen ("Petersen") and other individuals not yet identified, in violation of 18 U.S.C. § 1029 (Fraudulent Access Devices), 1030 (Computer Fraud), 1071 (Concealing A Person From Arrest) and 3146 (Failure To Appear After Release On Bail).

4. In or about July 1992, Petersen pleaded guilty to multiple felony counts of computer fraud, credit card fraud, interception of wire communications, and conspiracy before the Honorable Stephen V. Wilson, United States District Judge, as part of a plea and cooperation agreement with the government. As part of his plea and cooperation agreement, Petersen was obligated not to commit any additional crimes. Mr. Petersen was released on bail pending sentencing.

5. On or about October 22, 1993, I was present in an interview with Mr. Petersen and his lawyer at the United States Attorney's Office in Los Angeles. The purpose of the interview was to confront Mr. Petersen with allegations that he had engaged in additional criminal activity while out on bail pursuant to his plea agreement.

6. During the interview, Petersen was asked if he had engaged in any criminal activity while out on bail. He was specifically asked if he had been using credit cards issued to other individuals. Petersen admitted that he had, in fact, been using other people's credit cards.

7. At that point, Petersen asked to speak with his lawyer alone. Petersen and his lawyer then stepped outside and indicated they would return shortly. Petersen then fled the United States Courthouse.

8. On or about October 22, 1993, I was present in court when the Honorable Stephen V. Wilson issued a no-bail bench warrant for Mr. Petersen's arrest for violating the terms and conditions of his release.

9. I have conducted numerous prior interviews with Petersen as part of his plea and cooperation agreement. During these interviews, Petersen provided information relating to the period prior to September 1991, where he:

a. Described how he would engage in unauthorized intrusions into various computers in order to obtain credit card numbers and credit profiles belonging to other individuals;

b. Admitted to stealing mail as a means of obtaining legitimate credit card numbers and/or information about other individuals which Petersen would then use to fraudulently obtain credit cards;

c. Described how he evaded apprehension by law enforcement agents by using sophisticated electronic equipment to engage counter surveillance and how he used computer equipment to call forward telephone calls in order to thwart the use of traditional means of tracing telephone calls.

10. Between October 22, 1993 and August 29, 1994, Mr. Petersen evaded capture.

11. On or about August 29, 1994, I arrested Mr. Petersen pursuant to the warrant issued by Judge Wilson on October 22, 1993. At the time of his arrest, Mr. Petersen was approaching a 1985 BMW, Texas license 2VX29R and was in possession of numerous items including: Car keys to the 1985 BMW; a fraudulent Texas driver's license in the name of Nicholas Forbes and bearing Petersen's picture; a handcuff key; a master postal carrier key which allows a postal carrier to open mail boxes located at apartment buildings; numerous credit cards which had been altered; and a key to a padlock which appears to match the padlock on the garage door to Apartment A. Mr. Petersen was carrying a business card from the Oakwood Apartments, 880 Irvine Avenue, Newport Beach, California.

12. Pursuant to a search warrant issued by United States Magistrate-Judge Hillman, on or about August 30, 1994, I searched a 1985 BMW, Texas license 2VX29R. Inside I found a California driver's license issued to Darrell Eugene Martin on June 3, 1994 at 1628 Iowa Street Unit C, Costa Mesa, California.

13. On or about August 31, 1994, I spoke to Tiffany Forney, Oakwood Apartments, Newport Beach. Forney said that an individual who identified himself as Nicholas Forbes completed a credit application and application for deposit refund on July 12, 1994. Forney said that Forbes provided an address of 201 East 16th Street, Apartment A, Costa Mesa. A twenty-five Dollar (\$25.00) refund was mailed to that address.

14. Tiffany Forney positively identified a photograph of Justin Petersen as being the person she knew as Nicholas Forbes.

15. On or about August 31, 1994, I traveled to 201 East 16th Street in Costa Mesa. From the outside of Apartment A, I looked through a window and observed, in plain view, a computer system, a letter addressed to "Eric" lying on the floor, and a photograph of Petersen sitting on a bureau just below the window. From my numerous dealings with Petersen, I know that "Eric" is an alias used by Petersen.

16. On or about September 2, 1994, I spoke to Terry Combs, who told me the following:

a. She lives at Apartment B at 201 East 16th Street;

b. The garage to Apartment A is located directly east of Apartment A and is connected to Apartment A.

17. Based on the foregoing, I believe the Premises may contain the following evidence which constitutes fruits,

instrumentalities, and evidence of the crimes of computer fraud in violation of 18 U.S.C. § 1030, and fraud and related activity in connection with access devices in violation of 18 U.S.C. § 1029, concealing a person from arrest in violation of 18 U.S.C. § 1071, and failing to appear after release on bail, in violation of 18 U.S.C. § 3146:

a. Any information, printed or otherwise, referring to credit card account numbers, credit card authorization codes, social security numbers or other information pertaining to access devices;

b. Any documents constituting means of identification, including but not limited to birth certificates, driver's licenses, social security cards, or state identification cards.

c. Records or other documentary evidence indicating the location of Mr. Petersen's residence during the time he has been a fugitive as well as the identity of any persons who may have aided him during the period he was a fugitive;

d. Information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment, including, but not limited to, floppy diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, video cassettes, and any other media which is

capable of storing magnetic coding; any and all electronic devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data, including, but not limited to, computers, computer components, computer peripherals, word processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices; and any and all instructions or programs stored in the form interpreted by a computer or related components, including, but not limited to, operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, radio, or other means of transmission; and any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device.

Special Agent Stanley E. Ornellas
Federal Bureau of Investigation
Los Angeles, California

Subscribed and sworn to
before me this 21st day of
September, 1994.

JOSEPH REICHMANN

Honorable Joseph Reichmann
United States Magistrate-Judge

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

Page 1 of 1On (date) 9/2/94

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) _____

(Street Address) _____

(City) Costa Mesa, Ca.GARAGEDescription of
Item(s):

1 - 3M BUX Laser Printer Film

2 - Canon Typewriter Typestar 220
Serial # SB20429013 - IBM Computer Keyboard
Id No 0046208

4 - Paper Cutter (Boston Trimmer)

5 - Paper Shredder (Achiever)

6 - ICOM Scanner - Serial # 11761

7 - SMARTmodem 1200
A06206153227Bedroom

1 - Computer Keyboard S/N M910319793

2 - MGC Monitor Model 1402 S9052753

3 - OKI DATA PRINTER S/N 202A0092615

4 - Miscellaneous WIRES & JACKS

Received by: _____

Received from: _____

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